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Nevada County General Plan

TEXT

PART I



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RECORD OF TEXT AMENDMENTS





RESOLUTION No. 80-72

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NEVADA COUNTY ADOPTING THE AMENDMENT TO THE NEVADA COUNTY GENERAL PLAN - 1990, ADOPTED IN 1967, ENTITLED NEVADA COUNTY GENERAL PLAN, MARCH 1980.

WHEREAS, the Board of Supervisors held duly noticed public hearings on the environmental Impact Report for the amendment to the Nevada County General Plan - 1990, adopted in 1967, entitled Planning Commission Draft Nevada County General Plan, July 1979, and Board of Supervisors Draft Nevada County General Plan, January 1980; and

WHEREAS, said public hearings also included the amendment to the Nevada County General Plan - 1990, adopted in 1967; and

WHEREAS, all comments listed from persons who received the Draft Environmental Impact Report were responded to in writing as required by California Administrative Code, Title XIV, Division 6, Section 15085.e.; and

WHEREAS, all materials were prepared for the final Environmental Impact Report as required by the California Administrative Code, Title XIV, Division 6, Section 15085.f.; and

WHEREAS, the Board of Supervisors certified as adequate and complete the Final Environmental Impact Report by Resolution 80-63 ; and

WHEREAS, the Board of Supervisors determines that the revised Nevada County General Plan is an integrated, internally consistent and compatible statement of policies;



RESOLUTION No. 80-72

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

WHEREAS, the Board of Supervisors of the County of Nevada, at its regular meeting held on the 10th day of May, 1980, did consider and discuss the matter of the proposed acquisition of the County of Nevada by the State of Nevada, and

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NOW, THEREFORE, BE IT RESOLVED, that the Nevada County Board of Supervisors does adopt the amendment to said plan entitled Nevada County General Plan, March 1980, with all changes made to the plan by the Nevada County Planning Commission and Board of Supervisors. The plan applies to the entire county with the exceptions of the cities of Grass Valley and Nevada City, and the Martis Valley area. The Land Use Element of the Martis Valley General Plan - 1990 will continue to apply to that area; however, the other eight State mandated elements of the county-wide plan supplement, but do not replace, the Martis Valley General Plan - 1990.

BE IT FURTHER RESOLVED THAT, the records show the following resolutions were adopted prior to the adoption of this resolution in order to meet the Fair Political Practices Commission's procedures outlined in a letter directed to the Nevada County Planning Director and dated May 10, 1979; Board of Supervisors' Resolutions 80-64 through 80-71, inclusive. Said procedures constitute advice provided pursuant to Government Code Section 83114.b. and other Government Code and Administrative Code sections as outlined in said letter.

BE IT FURTHER RESOLVED THAT, the Board of Supervisors makes the following findings regarding the Environmental Impact Report:

1. The General Plan shall affect the environment in a unique sense; by directly and indirectly allowing future land use decisions to be made that will impact the environment, the plan itself will impact the environment. At the same time, the plan will improve environmental quality by allowing future growth that is generally sensitive to existing environmental conditions through implementation of general plan policies. A list of potentially significant adverse impacts includes, but is not necessarily limited to, the following:

and, therefore, is it possible that the two are identical?

Suppose now that the answer to the first question is

Yes; then, the second question is: Is the first

question itself a question?

The answer to this is: Yes, it is a question.

But, the answer to the second question is: No.

Why? Because the first question is not a question.

It is a statement.

And, therefore, the answer to the second question is: No.

And, therefore, the answer to the first question is: No.

And, therefore, the answer to the second question is: No.

And, therefore, the answer to the first question is: No.

And, therefore, the answer to the second question is: No.

And, therefore, the answer to the first question is: No.

And, therefore, the answer to the second question is: No.

And, therefore, the answer to the first question is: No.

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And, therefore, the answer to the second question is: No.

And, therefore, the answer to the first question is: No.

And, therefore, the answer to the second question is: No.

And, therefore, the answer to the first question is: No.

And, therefore, the answer to the second question is: No.

- a. Mining Operations - impacts of noise, traffic and aesthetic concerns.
 - b. Seismic Hazard - loss of life and destruction of buildings from seismic activity.
 - c. Soil Erosion - impacts on water quality, benthic life and aesthetics.
 - d. Water Quality - sedimentation from soil erosion and sewage waste from private and public systems.
 - e. Flora and Fauna - decrease in habitat from residential and related land use intrusion.
 - f. Timberland - conversion to residential and related land use.
 - g. Energy Consumption - due to increased population growth.
 - h. Noise - due to increases in traffic and industrial operations and increased activity of airports.
 - i. Archaeological and Historical - due to increased residential and related land use development.
 - j. Open Space and Aesthetics - due to increased residential and related land use development.
 - k. Public Facilities and Services - due to increased demand without commensurate increase in funds to meet the demand.
2. Changes have been incorporated into the project, pursuant to EIR Guidelines Section 15088(a)(1), which mitigate some significant environmental effects as identified in the final EIR:
- a. Changes made to the Plan's Land Use Map by the Commission and Board increase the Open Space Land Use category by 4300 acres and the Planned Development Land Use category by 4200

1. The first step in the process of the development of a new product is the identification of a market need. This is done by conducting market research, which involves gathering information about the current market and the needs of potential customers. This information is then used to develop a product concept that meets the identified need.

2. The second step is the development of a business plan. This plan outlines the financial aspects of the product, including the costs of production, distribution, and marketing, as well as the expected revenue and profit. It also includes a description of the marketing strategy and the sales channels that will be used to reach the target market.

3. The third step is the development of a prototype. This is a physical model of the product that is used to test the design and to demonstrate the product's features and benefits to potential customers. The prototype is typically made from a material that is easy to work with, such as wood or plastic, and it is often used to conduct user testing and to gather feedback from potential customers.

4. The fourth step is the development of a marketing plan. This plan outlines the strategies and tactics that will be used to promote the product and to reach the target market. It includes information about the product's positioning, the target market, the marketing mix, and the budget for the marketing campaign.

5. The fifth step is the development of a distribution plan. This plan outlines the strategies and tactics that will be used to get the product into the hands of the target market. It includes information about the distribution channels, the logistics of the distribution process, and the costs of distribution.

6. The sixth step is the development of a sales plan. This plan outlines the strategies and tactics that will be used to sell the product to the target market. It includes information about the sales channels, the sales process, and the sales team.

7. The seventh step is the development of a production plan. This plan outlines the strategies and tactics that will be used to produce the product. It includes information about the production process, the equipment and materials needed, and the costs of production.

8. The eighth step is the development of a distribution and sales plan. This plan outlines the strategies and tactics that will be used to get the product into the hands of the target market and to sell it to them. It includes information about the distribution channels, the sales process, and the sales team.

9. The ninth step is the development of a marketing and sales plan. This plan outlines the strategies and tactics that will be used to promote the product and to reach the target market, as well as the strategies and tactics that will be used to sell the product to the target market. It includes information about the product's positioning, the target market, the marketing mix, the sales channels, the sales process, and the sales team.

10. The tenth step is the development of a production and distribution plan. This plan outlines the strategies and tactics that will be used to produce the product and to get it into the hands of the target market. It includes information about the production process, the equipment and materials needed, the distribution channels, the logistics of the distribution process, and the costs of production and distribution.

acres. Both of these changes will have a beneficial impact on the Plan by increasing the Open Space within the County and the clustering of future growth in a planned development scheme that will minimize land disturbance and improve the potential for proper resource management.

b. In addition, the Land Use Map was changed by decreasing the ultimate population capacity of new urban areas in western Nevada County. This was a decrease of 100 people. This will have a beneficial impact of decreasing various environmental impacts associated with the population growth. Finally, there was a decrease in the northern portion of the county of 50 acres of the Recreation Service Center designation. This decrease will potentially prove a beneficial environmental impact by decreasing the likelihood of those intensive land uses associated with the Recreation Service Center land use category.

c. There is a potentially beneficial environmental impact as a result of policy changes in the written portions of the document. A total of ten policies were changed and/or added to in the written portions of the document that have the potential to have a beneficial impact. These policies include the following:

Land Use Element Policies 1, 35, 36, 42, 43, 44, 45 and 48.

Conservation Open Space Element Policies 11 and 12.

d. Mitigation measures are contained in Chapter 2, Part 2, of the plan and detail on an impact by impact basis the various mitigation measures that will be used to decrease the significant adverse environmental impact of the plan. In addition, the numerous policies contained throughout Part 1 of the document also provide a decrease in the environmental impact of the Plan.

3. Section 15089 of Title 14, California Administrative Code requires that findings be made regarding the reasons why mitigation measures and project alternatives discussed in the EIR were infeasible to mitigate the significant impacts. The following overriding social and economic considerations made infeasible the mitigation of the identified adverse significant environmental impacts that remain unmitigated (EIR Guidelines Section 15088(a)(3), 15146(b)) and in addition respond to the reasons why suggested mitigation measures by those responding to the adequacy of the draft EIR were not adopted and incorporated into the Plan:

- a. This amended plan will greatly decrease the future significant environmental impacts of growth much more than the plan it amends.
- b. This amended plan provides a comprehensive and organized approach for future growth in the County.
- c. This amended plan provides for reasonable and equitable development in conjunction with established County policy to match the supply and demand of land development with availability of public services.
- d. This amended plan provides realistic time frames for the implementation of mitigation measures for plan policies.
- e. This amended plan provides a rural development strategy that balances environmental concerns with the stated desires and needs of the people.
- f. This amended plan establishes a framework for determining the cumulative impact of future growth.
- g. This amended plan provides for the protection of private property rights as an important interest of government.

h. Adoption of the amended plan which recognizes economic, social and environmental impacts and concerns will facilitate growth consistent with the planning goals and objectives adopted by the Nevada County Board of Supervisors and the Planning Commission.

i. Adoption of the amended plan consistent with State planning and zoning law and based on the needs of the people it serves is in the public interest.

j. This amended plan contains policies that potentially provide funds for needed public facilities and services.

k. This amended plan decreases the ultimate population capacity established by the Nevada County General Plan - 1990, adopted in 1967, and thereby decreases those environmental impacts associated with population growth.

l. This amended plan documents existing or future problems and additions to future population growth and the ability of the public and private sectors to provide adequate facilities and services; additionally, it serves as a benchmark for the evaluation of the success or failure of this provision and provides mechanisms to assist in the evaluation of projects and land use decisions relative to their immediate and long-term impacts.

m. This amendment is needed for the following reasons:

1. The existing plan does not adequately address or adequately provide for rapid growth witnessed in recent years in the County.

2. These amendments bring the existing plan into conformance with State planning law.

3. These amendments provide for a more adequate evaluation and understanding of the impact of County growth including, but not limited to the following

- a. Energy conservation.
- b. Soil erosion.
- c. soil sedimentation.
- d. Traffic.
- e. Recreation.
- f. Public services.
- g. Biotic resources.
- h. Hydrology and water quality.
- i. Aesthetic concerns.

n. These amendments generally increase minimum parcel size and establish a comprehensive set of criteria used to evaluate future zoning and land divisions.

o. These amendments provide densities for all residential land uses and encourage clustering and the use of planned development techniques with their associated benefits.

p. This amended plan is a community-centered plan that encourages living, working, and recreating in a centralized area. This will serve to better direct growth and locate growth in established and new communities that are better able to provide services.

q. This amended plan provides a comprehensive list of housing policies that provides programs to meet the housing needs of all economic segments of the community.

BE IT FURTHER RESOLVED, the Board of Supervisors hereby declares that it would have adopted this plan and each element, section, subsection, paragraph, sentence, clause and phrase thereof, irrespective of the fact that one or more of such elements, sections, subsections, paragraphs, sentences, clauses or phrases might be declared invalid, unconstitutional or void. Should any element, section, subsection, paragraph, sentence, clause or phrase of this plan be declared invalid, such declaration shall not affect the validity of any other element, section, subsection, paragraph, sentence, clause or phrase; and if this plan or any portion thereof should be held to be invalid on one ground but valid on another, it shall be construed that the valid ground is the one upon which said plan or such portion thereof was enacted.

BE IT FURTHER RESOLVED THAT, the record includes all minutes of all public hearings and public meetings held by the Nevada County Board of Supervisors and Planning Commission in their consideration of this General Plan amendment.

BE IT FURTHER RESOLVED THAT, the staff is instructed to file a Notice of Determination pursuant to CEQA Guidelines Section 15085(h).

-8-

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a special meeting of said Board, held on the 5th day of March, 1980, by the following vote of said Board:

Ayes: Supervisors Dennis H. Hunyada, Robert H. Wilder, Karsten Hansen, Eric W. Rood, Francis E. Covert.

Noes: None

Absent: None

ATTEST;

MELBA J. POLGLASE, County Clerk and
ex-officio Clerk of the Board of Supervisors

By

Cathy West
Deputy Clerk

THE FOREGOING INSTRUMENT IS A
CORRECT COPY OF THE ORIGINAL 112 #80-72
ON FILE IN THIS OFFICE

ATTEST: MAR 7 1980

MELBA J. POLGLASE

County Clerk and ex-officio Clerk
Board of Supervisors

COUNTY OF NEVADA

Cathy West Deputy

DATE	COPIES SENT TO
3/6/80	Planning
	Co. Counsel
	Berliner & Eilers
	Bldg. Dept.
	D.P.W. <i>[Signature]</i>

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INTRODUCTION

The Nevada County General Plan is the culmination of effort by many individuals and groups over a span of approximately four years. This effort has included activities by the General Plan Review Committee, input from interested public agencies, intensive data gathering by Planning Department staff, and numerous public hearings.

The Plan is divided into three parts: Part I: Text includes nine chapters; eight relate to the State-mandated elements and one relates to an optional Socio-Economic Element. Each chapter provides a brief overview of existing conditions in the County for that element, goals and objectives of the County, and the policies necessary to implement those goals and objectives. Part II: Description of Impacts and Alternatives describes possible existing conditions by the end of the planning period (the year 2000), the methodology used in preparing the Plan, major differences of the three alternative Plans, the various environmental impacts of the Plan, and alternatives to the Plan. Part III: Technical Data provides information on existing conditions of the County; much of this data was used in the formulation of the policy statements.

The Plan applied to the entire County with the exceptions of the cities of Grass Valley and Nevada City and the Martis Valley area. The land use element of the Martis Valley General Plan - 1990 will continue to apply to that area. However, the other eight State-mandated elements of the County-wide Plan also apply to the Martis Valley area.

Three features dominate the Plan. First, the Plan is a "policy plan"; that is, it offers a clear, concise, comprehensive set of adopted County policy statements concerning land use and related topics. The purpose of each policy statement is to implement an adopted goal and/or objective. Such a process allows all decision-makers the opportunity to render consistent and equitable decisions within the framework of a comprehensive set of policies. It should be pointed out that these policies do not apply to National Forest System lands.

Second, the Plan encourages the viability of existing and future communities within the County by clustering much of the County's future growth within such communities. Various goals, objectives, and policies, as well as the land use map, encourage the majority of future high- and moderate-density population areas within proximity to existing or new communities. Low-density population areas are encouraged in the outlying rural areas of the County. Such an approach has numerous benefits discussed in some detail throughout the Plan, including efficient provision of public facilities and services, minimization of adverse impacts on the environment, and maintenance of the rural quality of life for much of the County.

Finally, the Plan's land use map, which visually illustrates the Text's policy statements, is based upon a series of resource-oriented capability maps. These maps provide information on critical erosion hazard areas, important wildlife areas, important woodland areas, septic tank-leaching system problem areas, critical fire hazard areas, and existing and potential public water and sewerage facilities. Together, these maps provide the foundation upon which the final land use map is based.



CHAPTER I

LAND USE ELEMENT

INTRODUCTION*

Nevada County lies within the northern portion of the State of California, stretching from the eastern end of the Sacramento Valley across the Sierra Nevada Range to the State of Nevada. Its 978 square miles are surrounded by Sierra County to the north, Yuba County to the west, Placer County to the south, and the State of Nevada to the east. The Sacramento area exists approximately 50 miles to the southwest of the Grass Valley/Nevada City area; the Reno, Nevada, area lies approximately 40 miles to the east of Truckee, and the Lake Tahoe area exists approximately 12 miles to the southeast of Truckee.

The far western end of the County, or lower foothill area, begins at an elevation as low as 200 feet and is made up of generally moderately sloping rangeland. Common physical characteristics include shallow residual soils with frequent outcroppings of bedrock, generally young, shallow stream valleys, and vegetative cover made up of grass and brush with scattered oaks and digger pines. As this area increases in elevation to the east, a general transition begins to occur. Relief becomes more irregular, soils increase in depth and fewer bedrock outcroppings exist, large, deeply entrenched rivers occur, and vegetation begins



to change to that of the forest area. At approximately 3,000 to 4,000 feet the forest becomes the dominant focus, including pines, firs, incense cedar, madrones, and black oak. Terrain becomes highly sloping in areas and the watershed is dominated by major watercourses (Middle and South Fork of the Yuba River and Bear River) and reservoirs (including Lake Spauling, Bowman Lake, etc.). At approximately 7,000 feet the Sierra Nevada Range dominates the terrain to the eastern end of the County, including mountain peaks, small inter-

*The majority of this section is a summary of the Land Use Element Background Data Report, a copy of which is contained in the Nevada County General Plan Part III: Technical Data.



mountain basins, large outcroppings of bedrock, and deep winding canyons. Major watercourses include the Truckee and the Little Truckee Rivers. The forest, made up of those species resistant to cold weather, is the major vegetative type. This is also a major water conservation area due to the large amounts of precipitation.

The fast growth rate of Nevada County is well documented. The population of 1970, 26,350, increased in 1975 to 33,950, an average annual total increase of approximately 1,500 people and an average annual rate increase of approximately 5.2 percent, one of the highest rates in the State. This compares with the State rate increase for the same time period of 1.1 percent per year. Based on the most recent estimates of population by the California State Department of Finance, both the actual population growth and the rate of growth appear to be increasing. The vast majority of this growth has occurred through in-migration rather than births over deaths within the County.

Within Nevada County it is the rural areas that are experiencing the most growth and the urban areas (Grass Valley and Nevada City) that are experiencing the least amount. The fastest growing rural area is the southwestern portion of the County generally bounded to the north by Highway 20 and to the east by Highway 49 (8.5 percent annually from 1970 to 1975). Other rural areas are also growing fast, including that area southeast of Grass Valley (6.5 percent annually) and the Truckee area (7.4 percent annually). This rural growth is consistent with National and State trends, and can be at least partially explained both by the increase in popularity of rural areas and the fact that the urban areas have less land to accommodate an influx of people.

This population growth has and, if it continues, will have major impacts on varying aspects of the County. Many public facilities and services are at or are approaching capacity; the County and other levels of government must attempt to provide a basic level of service to all individuals and, at the same time, maintain the quality of service. Growth is also affecting the County's many natural resources, including air, water, land, and timber; here again, governmental agencies must work to properly manage these resources in the light of continued pressure from an expanding population. Finally, growth is changing the very character of the County from that of a small rural area to that of a community where urban and rural meet and sometimes clash.

Population projections for Nevada County vary depending upon the type of data and methods used. Such projections are only as good as these tools and should be used only as an indicator of future conditions. The following projections are based on the State Department of Finance's Series D-225 projections. These projections show a decline in the rate of growth beginning in the mid-1980's; this decline is consistent with the projected overall decline at the State and national levels.



NEVADA COUNTY POPULATION PROJECTIONS

<u>YEAR</u>	<u>POPULATION</u>	<u>INCREASE</u>
1980	44,500	10,500
1985	54,800	10,300
1990	64,600	9,800
1995	74,200	9,600
2000	83,400	9,200

The existing urban areas can be divided between the cities of Grass Valley and Nevada City and the unincorporated area of Truckee. Grass Valley was incorporated in 1893 and has generally been "the" population center of the County since that time. Grass Valley is a major employment center and also serves as a center for the provision of goods and services to local residents. The City offers basic urban services, including public water, sewerage, schools, police and fire protection, and transportation facilities.

Nevada City was incorporated in 1851, unincorporated in 1852 after a year of inept and debt-ridden administration, and incorporated for a second and final time in 1878. The City functions both as an employment and goods and services center for much of the western portion of the County, though to a lesser extent than Grass Valley. Nevada City also functions as an important governmental center, containing City, County, State and Federal buildings. The City offers basic urban services, including public water, sewerage, schools, police, and fire protection, and transportation facilities.

In the early 1860's the construction of the Central Pacific Railroad led to the opening of a supply depot at a location which was soon named Truckee. The community of Truckee (including the Donner Lake area) is the major urban area for the eastern portion of the County, providing employment, goods, and services. The community is provided services through the operation of County services (i.e., police protection) and special districts, including public water, sewerage, schools, fire protection, recreation facilities, etc.

There are a number of rural areas within the County where small community centers are usually made up of neighborhood commercial and public facilities (i.e., grocery stores, gas stations, schools, post offices, etc.) and are surrounded by pockets of residences. Some of these residential areas have existed for many years (i.e., Penn Valley, North San Juan, Chicago Park, etc.) while others have been created within the past (Lake Wildwood, Lake of the Pines, Alta Sierra, Tahoe-Donner, etc.).

The remaining portion of the County is rural in nature. Approximately 26 percent of this land is owned by the U. S. Forest Service and is part of the Tahoe National Forest. The primary functions of these rural areas include agriculture (principally rangeland for cattle), the harvesting of timber, and, in increasing number, the development of residential-agricultural and uses (so-called "mini-farms").



Public facilities and services are provided throughout the County by various governmental agencies. Transportation facilities and services are provided by the County and two Cities. Public treated domestic water is provided by the two Cities and several special districts (primarily the Nevada Irrigation District and the Truckee-Donner Public Utility District). Agricultural water is provided primarily by the Nevada Irrigation District. Public treated sewerage facilities are provided primarily by the two Cities, the Truckee Sanitary District, and special assessment districts. Public school facilities are provided by the Nevada Joint Union High School District, Tahoe-Truckee Joint Union High School District, ten elementary school districts, and Sierra College. Recreation facilities are provided by the Tahoe National Forest, State Department of Parks and Recreation, the two Cities, and two special districts. Police protection is provided by the County, the State, and two Cities. Fire protection is provided by the two Cities, fourteen local districts and departments, U. S. Forest Service, and the California Department of Forestry.

The intent of the Plan is to provide a comprehensive and consistent set of policies designed to aid the decision-making process at all levels of government. The land use map of the Plan provides a graphic illustration of these policies and is the foundation upon which all future land use decisions will be made; it includes aspects of the entire planning process and General Plan elements.

Future population densities as shown on the land use map are based primarily on two critical criteria: the capability of the land to hold a given number of people and the availability (as well as the capacity) of public facilities and services. Land capability is based primarily on the quantity and quality of resources for a given area. This includes an inventory of soils (whether they are good for growing timber, capable of adequately handling septic tank-leaching systems, have potential for erosion, etc.), availability and quality of water, important flora and fauna areas, critical wildland fire areas, etc. The consideration of public facilities and services is based on an understanding of existing and future public treated water facilities, public sewerage facilities, schools, fire stations, the transportation system, etc. By basing future densities on these two criteria, the County is best able to provide for high population densities in those areas served with adequate community services and lower population densities where those services do not exist, both within a framework sensitive to the environment of Nevada County.

The map and table on the following pages provide information concerning future Nevada County total population and population densities. The total population to the year 2000 is used as the basis for the provision of public services and facilities and is based on the State Department of Finance's Series D-225 Projection. The population capacity is developed primarily from land capability data and is provided so that it is known what facilities and services must ultimately be provided; it is unknown at what point in time, if ever, this capacity will be reached.





NEVADA COUNTY AREA MAP

GENERAL PLAN POPULATION DATA

YEAR 2000 POPULATION

ULTIMATE POPULATION CAPACITY

<u>Area</u>	<u>Population</u>	<u>Area</u>	<u>Permanent Population</u>	<u>Minimum Parcel Size</u>	
1	35,800	1	84,000	Urban	10,000 S.F.
2	14,200	2	32,000	Residential	1.5 acres
3	21,700	3	51,000	Low-Density Residential	2 acres
4	11,700	4	28,000	Estate	3-10 acres
<hr/>		<hr/>		Rural	10-30 acres
Total Nevada County Population	<u>83,400</u>	Total Nevada County Population	<u>195,000</u>	Low Density Rural	30-40 acres
				Forest	40+ acres



GOALS AND OBJECTIVES:

The following Goals and Objectives were prepared by the General Plan Citizen's Committee, approved by the Nevada County Planning Commission, and adopted by the Nevada County Board of Supervisors. These Goals and Objectives are the basis upon which the Policies of the Land Use Element are developed.

GOAL A: To provide for a balanced framework of land uses that effectively meet the needs of the public and are sensitive to existing environmental, economic, and social conditions and should seek to improve or remove the existing unfavorable environmental, economic, and social conditions.

OBJECTIVE 1: To provide that all land uses (including residential, commercial, industrial circulation, recreational, agricultural, timber and mining) and all County resources shall be reasonably coordinated, consistent and compatible with each other.

OBJECTIVE 2: To provide that the majority of high-density population growth shall be limited to those areas where services (i.e., water and sewerage, schools, shopping and employment centers, major transportation routes, etc.) are currently available or made available by the land being developed.

OBJECTIVE 3: To provide that cost for an increase in public services by land development shall be paid for by the land developer and purchaser, not the general public.

OBJECTIVE 4: The minimum lot size for single-family dwellings will be based on the type of water and sewerage facilities available.

OBJECTIVE 5: To develop a criteria that sets forth a balanced ratio of land uses such that there is an equal balance between the projected population and the amount of commercial and recreational land uses.

OBJECTIVE 5A: Provide for commercial land uses that adequately reflect the needs of the surrounding area and are served with adequate facilities.

OBJECTIVE 5B: To provide for industrial land uses in areas served by adequate facilities in a manner that minimizes adverse environmental impact but which adequately reflects the economic needs of the County.



OBJECTIVE 5C: Discourage commercial spot zoning; discourage highway strip commercial that aesthetically detracts from scenic arterials, streets, and roads; discourage tourist-oriented commercial from existing rural neighborhood areas.

OBJECTIVE 5D: To allow home occupation uses in residential areas under established criteria which will insure that they are conducted in a manner which does not detract from the residential character of the neighborhoods in which they are located (i.e., increase in traffic,, obvious excess parking, noise, building incompatibility, signs, air pollution, etc.).

OBJECTIVE 5E: To allow recreational facilities adequate in amount and type for both neighborhood areas and out-of-county population, consistent and compatible with the surrounding area; private recreation facilities (i.e., campgrounds, etc.) shall be allowed in those areas free of noncompatible land uses and shall be consistent with the zoned density of surrounding land uses.

OBJECTIVE 5F: To provide for hazardous waste management facilities in areas served by adequate public services, and in a manner which minimizes adverse environmental impacts to the maximum extent possible, but effectively manages the County's hazardous waste stream.

GOAL B: To actively promote the conservation and long-range enhancement of the County's existing rural character, renewable and non-renewable resources, and pastoral quality of life.

OBJECTIVE 1: To manage growth to maintain and enhance the existing quality of life.

OBJECTIVE 2: To limit development in those areas where such development would be inconsistent with neighboring land uses and would detract from the existing character of the area by prohibiting or strictly regulating such development.

OBJECTIVE 3: To limit those public services that would be inconsistent with the existing land uses and would detract from the existing character of the area.

OBJECTIVE 4: To encourage the development of innovative taxation techniques designed to encourage the rural character.

GOAL C: To develop a realistic policy that recognizes past land use decisions and minimizes hardship on property owners resulting from changes in land use regulation.



POLICIES:

Policy 1: To provide for varying levels of population density throughout the County based on, but not limited to, the following land use, land capability, and public facility criteria:

- A. Availability of public treated water.
- B. Availability of public sewerage system.
- C. Distance to nearest elementary and high school.
- D. Distance to nearest fire station that handles structural fires.
- E. Distance to nearest urban area.
- F. Soil erosion hazard.
- G. Septic tank-leaching system capability.
- H. Important flora and fauna habitat areas.
- I. Commercial timber-producing areas.
- J. Important agricultural areas.
- K. Important mineral areas.
- L. Critical fire hazard areas.
- M. Capacity of public treated water systems.
- N. Capacity of public sewerage systems.
- O. Capacity of elementary and high schools.
- P. Capacity of fire stations.
- Q. Capacity of transportation routes.
- R. Existing land use pattern.
- S. Historical/Archaeological sites.

(Action needed to implement Policy: Adopt General Plan).

Policy 2: All land use applications for public and private development shall be reviewed by the Planning Department, Public Works Department, and Health Department staffs, and other responsible agencies where appropriate, to ensure compatibility with the intent of the Goals, Objectives, and Policies of the Nevada County General Plan.

(Action needed to implement Policy: Adopt General Plan).

Policy 3: Intensive land uses, including urban high density, urban medium density, regional commercial, and industrial land uses should be encouraged in urban areas as shown on the land use map. Industrial uses directly related to resource extraction or processing may be admitted within non-urban areas.

(Action needed to implement Policy: Adopt General Plan).



Policy 4: The General Plan shall be updated at least once every three years from the date of adoption of the Plan. Such an update shall include any changes deemed necessary concerning existing County policy and/or corresponding land use map. When changing conditions warrant, community specific plans may be prepared as a part of this update.

(Action needed to implement Policy: Adopt General Plan).

Policy 5: To provide for Urban High Density and Urban Medium Density areas where the following standards are met:

- A. Urban High Density maximum density shall be 20 units per acre (and may provide multi-family units or single-family units).
- B. Urban Medium Density maximum density shall be 6 units per acre (and may provide multi-family units or single-family units).
- C. Shall be treated with adequate public facilities, including public treated water, public sewerage, police protection, and, if necessary, snow storage facilities.
- D. Shall have direct or, more preferably, indirect access to an adequate arterial or collector transportation route.
- E. Shall be located within five minutes distance of a fire station that will handle structural fires.
- F. Shall be within proximity to an elementary school.
- G. High priority shall be given to maintaining traffic safety and a safe circulation pattern.
- H. Adequate water supplies and sewage treatment facilities should be required.

(Action need to implement Policy: Adopt General Plan).

Policy 6: Based on the type of water and sewerage facilities, minimum lot size for single-family zoning is:



Public domestic treated water and public sewerage system, 10,000 square feet.

Public domestic treated water and individual disposal system, 1.5 acres.

Groundwater well and public sewerage system, 1.5 acres.

Groundwater well and individual disposal system, 3 acres.

The above are minimums based on the availability of water and sewerage facilities.

Other considerations, including adverse soil, geologic, or topographic conditions may warrant larger parcel sizes.

Where the Planned Development designation is used in conjunction with a stated density, that density can only occur consistent with the above standards for water and sewerage facilities. Example: PD-UMD (2 units per acre) would allow a density of two units per acre on a public water system and public sewerage system, a density of 1 unit per 1.5 acres on either a public water system or public sewerage system, or a density of 1 unit per 3 acres on a groundwater well and individual disposal system.

In areas proposed for commercial, industrial, and recreational uses and in areas designated for Planned Developments where common or community sewage disposal is proposed, all such systems shall be based on soil capabilities and designed by a licensed engineer. All such systems shall be in conformance with Nevada County sewage disposal criteria for engineered systems.

Adequate water supplies and sewage treatment facilities should be required.

(Action needed to implement Policy: Amend Zoning Ordinance).

Policy 7:

To provide for regional commercial facilities where the following standards are met:

- A. To allow between six to eight acres of regional commercial land within western



Nevada County for every additional 1,000 people. In eastern Nevada County, this is not used due to the abundance of commercial land as shown on the Martis Valley General Plan.

- B. Such facilities are intended to serve the retail and service needs of major population centers of the County and shall be provided through the use of the "C2" Community Commercial Zoning District, or other similar district.
- C. Shall be served with adequate facilities, including public water or groundwater wells with storage adequate to provide domestic and fire flow, public sewerage or private sewerage systems with adequate disposal area plus replacement area, police protection, and, when necessary, snow storage facilities.
- D. Shall be generally centrally located within an area of concentrated population.
- E. Shall be located within five minutes' distance of a fire station that will handle structural fires.
- F. Shall conform to the standards of local fire district protection ordinance or the California Department of Forestry.
- G. Shall have direct, or more preferably, indirect access to adequate arterial or collector transportation route.
- H. High priority shall be given to maintaining traffic safety and a safe circulation pattern.
- I. Such facilities shall be so located as to prevent strip commercial development.
- J. Adequate water supplies and sewage treatment facilities should be required.

(Action need to implement Policy: Adopt General Plan).

Policy 8: To provide for neighborhood commercial facilities where the following standards are met:



- A. To allow between 1 to 1.2 acres of neighborhood commercial land within western Nevada County for every additional 1,000 people. In eastern Nevada County, this standard is not used due to the abundance of commercial land as shown on the Martis Valley General Plan.
- B. Such facilities are intended to serve the retail and service needs of neighborhood communities and shall be provide through the use of the "C1" Neighborhood Commercial Zoning District, or other similar district.
- C. Shall be in relative proximity to a residential neighborhood.
- D. Shall conform to the standards of the local fire district protection ordinance or the California Department of Forestry.
- E. Shall have direct or, more preferably, indirect access to an arterial or collector transportation route.
- F. High priority shall be given to maintaining traffic safety and a safe circulation pattern.
- G. Such facilities shall be so located as to prevent strip commercial development.
- H. Adequate water supplies and seage treatment facilities should be required.

(Action needed to implement Policy: Adopt General Plan).

Policy 9: To provide for highway commercial facilities where the following standards are met:

- A. Such facilities are intended to serve the retail and service needs of both highway-related and tourist population and shall be provided through the use of the "CH" Highway Commercial Zoning District.
- B. Shall be clustered in proximity to each other rather than scattered along existing transportation routes.
- C. Shall conform to the standards of local fire district fire protection ordinance or the California Department of Forestry.



- D. Shall have direct or, more preferably, indirect access to an arterial or collector transportation route.
- E. High priority shall be given to maintaining traffic safety and a safe circulation pattern.
- F. Such facilities shall be so located as to prevent strip commercial development.
- G. Adequate water supplies and sewage treatment facilities should be required.
(Action needed to implement Policy: Adopt General Plan).

Policy 10: To provide for industrial facilities where the following standards are met:

- A. Such facilities are intended to serve the industrial and employment needs of the County and shall be provided through the use of the "M1" Light Industrial Zoning District and "M2" Heavy Industrial Zoning District, or other similar districts.
- B. Shall be generally centrally located within an area of concentrated population except in those instances where natural resources can be harvested or extracted.
- C. Shall be served with adequate facilities, including public water or groundwater wells with storage adequate to provide domestic fire flow, public sewerage or private sewerage systems with adequate disposal area plus replacement area, police protections, and, if necessary, snow storage facilities.
- D. Shall be located with five minutes distance of a fire station that will handle structural fires. For mining projects, specific requirements shall be as determined by the appropriate local fire jurisdiction.
- E. Shall conform to the standards of the local fire district's fire protection ordinance.
- F. Shall have direct or, more preferably, indirect access to an arterial or collector transportation route except in those instances where natural resources must be harvested.



- G. High priority shall be given to maintaining traffic safety and a safe circulation pattern.
- H. The most recent air, water, and noise pollution standards shall be maintained for all such uses.
- I. Where industry must be located in close proximity to residential areas, high priority shall be given to providing adequate buffering, including open space, landscaping, fences, earthen berms, etc. to minimize potential adverse impact from the industrial operation.
- J. Adequate water supplies and sewage treatment facilities should be required.

(Action needed to implement Policy: Adopt General Plan).

Policy 11:

To provide for office-professional facilities where the following standards are met:

- A. Such facilities are intended to serve the professional and administrative office needs of the County and shall be provided through the use of the "OP" Office and Professional Zoning District.
- B. Shall be generally centrally located within an area of concentrated population.
- C. Shall be located within five minutes distance of a fire station that will handle structural fires.
- D. Shall conform to the standards of local fire district fire protection ordinance or the California Department of Forestry.
- E. Shall have direct or, more preferably, indirect access to an arterial or collector transportation route.
- F. High Priority shall be given to maintaining traffic safety and a safe circulation system.
- G. Adequate water supplies and sewage treatment facilities should be required.



(Action needed to implement Policy: Adopt General Plan).

Policy 12:

Within a reasonable period of time, after the adoption of this amendment, planning staff, in cooperation with the County Departments of Transportation, Environmental Health and Building, shall prepare Development Assessment Plans for all unincorporated territory of Nevada County lying west of the Range 9/10 line and General Plan designated for Industrial and for Research and Development. Following preparation of plans or in conjunction with the preparation of plans for areas zoned Industrial, or zoned Research and Development, Development Assessment Plans shall be prepared for areas zoned Commercial or Office and Professional. Nothing in this Policy is intended to prevent Development Assessment Plans, or other kinds of plans, from being prepared by a consultant retained by the County or retained by one or more effected property owners. It is not intended that Development Assessment Plans will fulfill the requirements of a Specific Plan as provided for in State Government Code Section 65450. It is intended that the Development Assessment Plans will be predicated on a thorough study of issues involved in eventual development of each area and will result in a report on technical studies to be accomplished prior to development, methods which could be implemented for financing of required infrastructure, land use restrictions which should be applied to development, environmental constraints which will be addressed, design considerations to be applied with development, and any other issues found to be important during preparation of the plan. Prior to preparation of any Development Assessment Plan, guidelines for preparation of the Development Assessment Plans, and procedures for adoption of that plan, shall be prepared by planning staff in cooperation with other effected County departments and adopted by the Board of Supervisors.

Policy 13:

To provide for research and development facilities where the following standards are met:

- A. Such facilities are intended to serve the research and development needs both within and outside the County. Highest priority shall be given to those facilities that can exist in proximity to residential and commercial development in any way. Significant



increases in air, water and noise pollution, as well as traffic generally not consistent with existing traffic characteristics, should be discouraged. Strict design controls shall also be required. This designation shall be provided through the use of the "R & D" Research and Development Zoning District.

- B. Shall conform to the standards of local fire district fire protection ordinance or the California Department of Forestry.
- C. Shall have direct or, more preferably, indirect access to an arterial or collector transportation route.
- D. High priority shall be given to maintaining traffic safety and a safe circulation system.
- E. Adequate water supplies and sewage treatment facilities should be required.

(Action needed to implement Policy: Adopt General Plan).

Policy 14:

To actively encourage undisturbed and/or replanted land through the use of planned development or the clustering of development so that open space might be preserved. The zoning ordinance shall be amended to reflect residential density in addition to minimum parcel size for all appropriate districts. The County shall implement this policy no later than one year after the adoption of the General Plan.

(Action needed to implement Policy: Amend Zoning Ordinance and adopt General Plan).

Policy 15:

To discourage non-contiguous land development, or land of a residential, commercial, industrial, or intensive recreational nature that would be inconsistent with the rural or forest characteristics of the area or be beyond the ability of the area to provide adequate public facilities and services.

(Action needed to implement Policy: Adopt General Plan).

Policy 16:

To provide designed control standards for all commercial, industrial, and multi-family land uses that detail specific guidelines for landscaping, signs, fencing, and other aesthetic considera-



tions. Emphasis shall be placed on maintaining the natural characteristics of the property and relating harmoniously with the terrain and neighboring land uses. In addition, the approval of a site plan shall be required for any significant land disturbance within all commercial, industrial, and multi-family zoned property. The County shall implement this policy no later than three years after the adoption of the General Plan.

(Action needed to implement Policy: Amend Zoning Ordinance).

Policy 17: To actively encourage the development of new recreational facilities to serve existing and future residential areas within existing recreation districts and to encourage the creation of new recreation districts within those areas of the County not presently served.

(Action needed to implement policy: Adopt General Plan).

Policy 18: To establish criteria to allow private campground facilities in relation to the existing zoning density. The County shall implement this policy no later than three years after the adoption of the General Plan.

(Action needed to implement Policy: Amend Zoning Ordinance).

Policy 19: To study and implement all mechanisms that will insure that impacts created by all future land divisions will be mitigated. Such mechanisms shall be equitably and reasonably based on the increase in demand for public services by the proposed subdivision as determined by a careful study of the fiscal impacts on the County, cities, and special districts. The County shall implement this policy no later than one year after the adoption of the General Plan.

(Action needed to implement Policy: Amend Subdivision Ordinance).

Policy 20: To study and implement all mechanisms that will insure that impacts created by all future building permits will be mitigated. Such mechanisms shall be equitably and reasonably based on the increase in demand for public services by the proposed



building permits as determined by a careful study of the fiscal impacts on the County, cities, and special districts. The County shall implement this policy no later than one year after the adoption of the General Plan.

(Action needed to implement Policy: Adopt new Ordinance).

Policy 21: In those instances where commercial and industrial development will create significant impacts on public facilities and services, mechanisms shall be provided to facilitate the funding of said facilities and services.

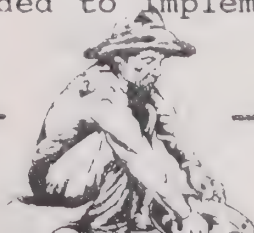
(Action needed to implement Policy: Adopt General Plan).

Policy 22: To require where appropriate and feasible the creation of an independent or dependent entity as a condition of approval of all land divisions to provide for the financing of any public needs unique to that land division and not the general public of the County. Such entities shall provide for financing of special problems that might occur at some point in the future (i.e. septic tank problems, etc.). The exact type of entity chosen (i.e. independent district, dependent district, county service area, community service district, etc.) shall be determined after a careful consideration of the pros and cons of each. The County shall start implementing this policy no later than one year after the adoption of the General Plan.

(Action needed to implement Policy: Amend Subdivision Ordinance).

Policy 23: To work with the incorporated areas and special districts of the County in determining their potential spheres of influence. Once developed, these boundaries shall form the basis of a close working relationship between the County and the affected cities and districts. When any major public or private development is proposed within the unincorporated area of the County and also a sphere of influence of another public entity, the County shall request comments from the affected entity. If the decision by the County is inconsistent with the recommendations of the affected entity, the County shall make findings or specific economic, social, or other considerations as the basis of their decision.

(Action needed to implement Policy: Adopt General Plan).



Policy 24: Not withstanding other County-wide policies, to preserve the right of property owners to construct houses on all approved or tentatively approved parcels in the County, unless the County determines that such development would be detrimental to the public health, safety, or welfare.

(Action needed to implement Policy: Adopt General Plan).

Policy 25: An environmental impact report may be required for any General Plan amendment that significantly increases density or creates a more intensive land use.

(Action needed to implement Policy: Adopt General Plan).

Policy 26: To maintain an active capital improvement program that provides for future public works needed to implement the Plan in five-year increments. The County shall start implementing this policy no later than five years after the adoption of the General Plan.

(Action needed to implement Policy: Staff action required).

Policy 27: The County shall continue to allow home occupations under the current Home Occupation Criteria. Such criteria shall continue to allow the operation of small, resident-run operations, but not to the detriment of the existing residential neighborhood area.

(Action needed to implement policy: Adopt General Plan).

Policy 28: To actively support proposed State Legislation that will lessen the tax burden on those who wish to maintain the existing rural nature of property.

(Action needed to implement Policy: Adopt General Plan).

Policy 29: Investigate various taxation techniques, specifically preferential assessment, designed to minimize the tax burden on those who wish to maintain the existing rural nature of their property, and determine the feasibility of such techniques for the County.



(Action needed to implement Policy: Adopt General Plan).

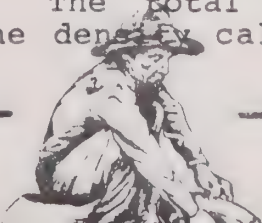
Policy 30: In those areas where development is proposed within a rare or endangered flora or fauna habitat, a professional biologist shall investigate and report on the current status of and potential impacts on the flora and fauna in the area. Such investigation shall be paid for by the developer and shall offer mitigation measures to reduce the level of environmental impact. This may or may not be done as a part of an environmental impact report.

(Action needed to implement Policy: Adopt General Plan).

Policy 31 Under land use designations Residential, Residential Low Density, Estate, Rural, Rural Low Density and Forest, the legend on the General Plan land use map specifies both a minimum lot size and a maximum density factor that is expressed as units/acre. Properties covered by these designations may be subdivided using the minimum lot size or by averaging the density which may result in some parcels which are smaller than the minimum parcel size; provided however, that the density allowed for the entire subdivision is not exceeded. When the latter is used, combining district zoning in the form of the "X", or such other appropriate designation shall be used that precludes future projects from exceeding the density standards that were applicable to the original property prior to the division. If the resulting sized parcels could not be further divided, combining district zoning will not be mandatory.

Parcels falling in two land use designations shall average density by rounding down for the higher density designation and rounding up for the lower density designation. Parcels falling within only one designation shall round down unless they qualify for the 3% lot size deviation allowed in the Subdivision Ordinance for sections of land described in fractional (aliquot) terms and which are found to be smaller than a standard government survey section. When more than two General Plan designations apply to a subdivision, only one designation may round up.

Example: A 55-acre parcel divided by 20 acres of Forest (40-acre minimum) and 35 acres of Rural (10-30-acre minimums) would result in a maximum of four lots. The total number of lots would be based on the density calculation of each land use



designation affecting the parcel (with the highest density designation rounding down and the lowest density designation rounding up) and be computed as follows: 20 acres of Forest (lowest density) divided by 40-acre minimum lot size equals .5 lots which, when rounded up equals one lot, and 35 acres of Rural divided by 10 acre minimum lot size equals 3.5 lots which, when rounded down equals three lots. Three lots plus one lot equals four lots. The four lots may be located anywhere on site provided that they meet the minimum size for sewage disposal and water source standards included in Policy 6.

Policy 32: The County shall maintain an up-to-date inventory of significant mineral deposits. This inventory shall show those areas of the County where significant minerals may be located and where mining may occur, subject to approval of a use permit, proper mitigation of environmental impacts, and compliance with Mineral Management Element policy.

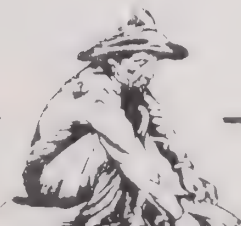
Within such areas determined to be compatible for surface mining, the "ME" zoning district shall be used. Inclusion within such areas shall not alter the necessity for adequate environmental review, formal County approval, and compliance with the Surface Mining and Reclamation Act of 1975, for all mining operations.

Policy 33: To ensure adequate enforcement of all land use regulations by providing adequate staff and funding supported primarily by the developer.

(Action needed to implement Policy: Adopt General Plan).

Policy 34: To provide that no land use application shall be accepted by the County until it is determined that the proposed use is in conformance with the General Plan.

(Action needed to implement Policy: Adopt General Plan).



Policy 35:

The General Plan land use map shall include an Open Space land use designation. The purpose of this designation is to implement the goals and objectives of the Land Use and Conservation and Open Space Elements by serving one or more of the purposes stated below. In addition, the designations on the land use map for Rural, Rural Low Density, and Forest are also intended to implement said goals and objectives, though to a lesser degree than the Open Space designation. Primary purposes of open space include:

- 1) PRESERVE natural resource areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, banks of rivers and streams and watershed lands;
- 2) CONSERVE open spaces for the managed production of resources including forest products, rangeland, agricultural lands important to the production of food and fiber; areas required for recharge of groundwater basins; rivers and streams important for the management of commercial fisheries; and areas containing important mineral deposits;
- 3) MAINTAIN areas with importance for outdoor recreation including areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails and scenic highway corridors;
- 4) DELINEATE open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality; and



5) PROVIDE for open spaces to create a buffer which may be landscaped to minimize the adverse impact of one land use on another.

The County will provide for Open Space lands through:

- 1) The designation of land as Open Space;
- 2) The designation of land for low-intensity land uses as provided in the Rural, Rural Low Density and Forest land use designation, and
- 3) Local implementation of the Federal Insurance Administration Flood Hazard Boundary Program.
- 4) Local implementation of the State Land Conservation Act Program.

The County has adopted the Federal Insurance Administration Flood Hazard Boundary Maps as well as any updating of this study, and other flood plain studies prepared by Government agencies, as a part of this element. The County shall review this element as changes to flood plain boundaries are brought to the County's attention.

Policy 36:

The County shall implement Policy 35 through zoning regulations and the administration thereof. It is intended that certain districts and certain requirements in zoning regulations carry-out the purposes set forth in Policy 35 as follows:

- A. It is the legislative determination that the "OS" Zoning District is consistent with and shall implement the Open Space designation of the General Plan land use map.
- B. It is the legislative determination that the "A1" General Agricultural, "AE" Agricultural Exclusive, "FR" Forest and Recreation, and "TPZ" Timberland Preserve Zone zoning districts are consistent with Policy 35 and serve one or more of the purposes set forth therein, though to a lesser degree than the Open Space zoning district.



- C. Zoning regulations shall provide for setbacks from all flood plains, streams, lakes, rivers and canals to maintain Purposes 1, 2, 3, and 4 set forth in Policy 35.
- D. Zoning regulations shall provide for maintenance of permanent open space in Multiple-Family, Commercial, Office and Professional, Research and Development, Industrial and Public Zoning Districts based on standards established in those provisions. The regulations shall minimize impacts on wetlands, flood plains, streams, lakes, rivers, canals and slopes in excess of 30% and shall maintain Purposes 1, 2, 3 and 4 in Policy 35.
- E. Landscaping requirements in zoning regulations shall provide for vegetative buffers between incompatible land uses in order to maintain Purpose 5 in Policy 35.
- F. Zoning regulations shall include findings required for any site plan or use permit approval, and those findings shall include one finding that the project is consistent with the Nevada County General Plan or specific plan in effect in the project area. Those regulations shall maintain Purposes 1, 2, 3, 4 and 5 of Policy 35.
- G. Zoning regulations shall provide for mineral management districts and/or other appropriate mineral zoning categories which shall be applied to lands found to contain important mineral deposits if development of the resource can occur in compliance with all other policies of the General Plan. Those regulations shall maintain Purposes 1, 2, 3, 4 and 5.
- H. For lands designated as Open Space on the General Plan Land Use Map, and for those lands zoned to carry-out the intent of the five purposes of Policy 35, as listed in "A" above, project review shall include a recognition of the purpose of the zoning and General



Plan land use designation and the application of conditions which will maintain Purposes 1, 2, 3, 4 and 5 outlined in Policy 35. It is intended to further carry-out the purposes of open space by requiring a finding of consistency with the purposes of open space in the approval of each discretionary land use permit.

Policy 37: The General Plan Land Use map shall include a Public Land Use category. This category shall provide for a variety of "publicly oriented" land uses, including lands owned and/or used by Federal, State, or local governmental agencies, recreational parks, cemeteries, solid and liquid waste disposal facilities, and associated uses. This land use category shall be implemented through the use of the "Public" zoning District and other related districts.

(Action needed to implement Plan: Adopt General Plan).

Policy 38: The General Plan land use map shall include two Planned Development Land Use categories. The simple "PD" category shall allow a variety of land uses, including single-family and multi-family residential, commercial, industrial, open space, and/or other land uses, all consistent with the ability and constraints of the land. The "PD-___" category shall allow only residential land uses consistent with the density specified. In both categories primary emphasis shall be placed on clustering intensive land uses to minimize impact on various natural and man-made resources, minimize public health concerns, and minimize aesthetic concerns. Both categories shall be implemented through the use of the "PD" Planned Development Zoning District. Also, both categories may allow for detached dwelling units or attached dwelling units if accompanied with a tentative map (the Urban High and Medium Density designations are excluded from this latter requirement). The simple "PD" category shall include a Master Plan showing the proposed land uses and adopted at the same time as the General Plan and shall clearly state how many acres of various land uses shall be permitted. Where no residential density is stated, the density shall be no greater than Urban Medium Density (2 to 6 units per acre).

(Action needed to implement Policy: Adopt General Plan).



Policy 39: When it is necessary, due to the lack of specificity of the land use maps, to clarify said maps, larger scale maps may be used to help more clearly define the various land use category boundaries. This will constitute an administrative, rather than legislative, action.

Policy 40: The land use maps' legend shall include a description of the various land use categories both in terms of minimum parcel size (i.e., 2 acre minimum parcel size) and dwelling unit density (i.e., 50 dwelling units per acre) to allow the option of clustering development via the planned development approach.

Policy 41: The County shall establish specific land division criteria to provide guidance in: (1) The determination of specific zoning based on the General Plan's general direction as to minimum parcel size or density, 2) the determination of minimum parcel size or density during the land division process after the General Plan is adopted and prior to specific zoning. The specific criteria include, but are not limited to, the following:

1. Availability of public treated water.
2. Capacity of public treated water system.
3. Distance to nearest elementary school.
4. Capacity of nearest elementary school.
5. Distance to nearest high school.
6. Capacity of nearest high school.
7. Distance to nearest fire station handling structural fires.
8. Distance to nearest urban area or communities.
9. Topography (Erosion Hazard).
10. Septic tank hazard (based on soils).
11. Groundwater well hazard areas.
12. Important flora and fauna habitat areas.
13. Commercial timberland (based on soil surveys).
14. Important agricultural areas.
15. Important mineralized areas.
16. Capacity of the transportation system.
17. Existing land use pattern.
18. Proximity to perennial water course.
19. Important historical/archaeological sites.
20. Known historical faults.
21. Availability of and distance to public sewage treatment systems.

The data sources needed to determine the above include, but are not limited to, the following:



1. Soil Conservation Services' Soil Survey of Nevada County area, California.
2. National Forest System's Soil Survey for the Tahoe National Forest.
3. United States Geologic Survey's Topographic Maps.
4. Information supplied by each special district and school district.
5. Nevada County Planning Department's Base Maps.
6. State Division of Mines and Geology's geologic data and National Forest System's geologic data.
7. Nevada County Planning Department's Wildlife maps prepared by the State Department of Fish and Game.
8. Nevada County Planning Department's Mineralized Areas Map.
9. Assorted other data, including maps relative to distance to urban areas, schools, and fire stations, transportation capacity data, and data on historical/archaeological sites.
10. Appropriate State Water Quality Control Board's Regional Basin Plan and Criteria for Septic Tank/Leachfield Systems, and Nevada County's "208" Plan, when finalized.

(Action needed to implement Policy: Adopt General Plan).

Policy 42: To encourage resource management in large lot rural subdivisions. Specifically, agricultural and timber production uses shall be appropriate uses within said subdivisions and the tentative map approval process shall encourage grazing, forest management, specialty crop production, etc., coexistent with residential uses.

(Action needed to implement Plan: Adopt General Plan).

Policy 43: To encourage agricultural and timber production uses as important and necessary alternatives to urban uses.

(Action needed to implement Plan: Adopt General Plan).

Policy 44: To encourage the continued function of the Animal Damage Control Program and its efforts to prevent damage to agricultural operations.

(Action needed to implement Plan: Adopt General Plan).



Policy 45:

The AE "Exclusive Agricultural" Zoning District shall be used to protect and enhance agricultural opportunities and may be applied upon petition of individual landowners, as a condition of subdivision approval, or through County initiated zoning. The AE Zone shall be modified to include the following features: (1) Not allow non-agricultural uses within the permitted, accessory, temporary, and conditional uses of this zoning district with the exception of single-family residences (in no way shall this affect legal non-conforming uses), (2) Enumeration of permitted uses that include essential elements of agricultural operations (i.e., pest control, spraying, cultivation, etc.), (3) setbacks of incompatible uses on parcels adjoining lands within the zone, (4) preparation of an "agricultural management plan" by the landowner for the purpose of maximizing agricultural production. The County shall start implementing this policy within 3 years of the adoption of the General Plan.

(Action needed to implement Policy: Amend Zoning Ordinance).

Policy 46:

Agriculture shall be allowed and encouraged within all land use categories. The general distribution and location of agriculture shall be within the rural areas of the County, generally removed from urban and residential areas. The primary extent of agricultural uses shall be within the Estate, Rural, Low Density Rural, and Forest categories, though agriculture may exist to a lesser extent within all other categories.

(Action needed to implement Policy: Adopt General Plan).

Policy 47:

To recognize and encourage scenic beauty throughout the County and more particularly within those areas shown on the land use map as "Open Space" and "Forest", as well as lands adjacent to major watercourses, lands owned by the Federal government, and lands adjacent to all State highways. All of the above lands shall be for the enjoyment of scenic beauty.

(Action needed to implement Plan: Adopt General Plan).

Policy 48:

The County may allow for an increase in dwelling unit density above that allocated for any land use



designation. If criteria listed below are met, an increase of 5% above the original density for each criterion may be applied to land zoned and developed with a planned unit development and/or if not less than 1% of the total acreage is dedicated and accepted by each of the following:

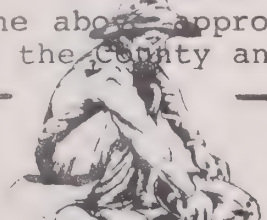
1. Planned Development (a minimum of 50% of the land must be in open space as defined in Public Resources Code Section 65560(B)).
2. Local fire district site.
3. Local school district site.
4. Local recreation district site.
5. In addition, the provision for low and moderate cost housing equal in number to the density bonus of 25% consistent with Housing Element Policy 17 and Government Code Section 65915.

This would mean that if all six criteria were met (including both a high school and elementary school site) a density bonus of 50% could be granted. For each criterion that could not be met, the bonus would be lowered by 5%, except for item #5 where the bonus would be lowered by 25%.

Each parcel allocated to each district (equal to 1% of the total area of the development) shall be acceptable to that district. In addition, this policy shall not be so construed as to allow an increase in density for a mitigation measure that would otherwise be required through the environmental review process.

Example: A 100 acre proposed subdivision that would allow the creation of 100 one acre parcels. The subdivider wishes to create a planned development with a minimum of 50% of the land as open space, plus dedicate land to the local fire, elementary school, high school, and recreation districts that are acceptable to those districts, as well as provide for 25 low income housing units. This would allow the creation of a total of 150 parcels (or the equivalent density) for the subdivision.

With the exception of the low income housing unit bonus (which is mandated by State law), the acceptance of the above approach is strictly up to the decision of the County and may be denied on individual



developments at any time. The County shall implement this policy within three years of the adoption of the Plan.

(Action needed to implement Policy: Amend Zoning Ordinance).

Policy 49: To continue to study the actual housing needs in the Truckee/Martis Valley area.

(Action needed to implement Policy: Adopt General Plan).

Policy 50: Notwithstanding the minimum parcel size requirements set out herein, minor lot line adjustments may be allowed for existing substandard size parcels provided that they do not create the potential for any new building sites.

Policy 51: Minimum parcel size as shown on the Land Use Map shall not apply to parcels occupied by Governmental bodies, private or public utilities. When such agencies are acquiring land for its exclusive use, the remaining parcel from the donor property need not comply with the minimums set forth on the General Plan's Land Use Map provided, however, that the donor parcel shall retain sufficient lands so as to comply with the minimum lot size as set forth in Policy 6 of this Plan. All other divisions of the remaining land must be in compliance with the density and lot standards established in the general plan and zoning.

Policy 52: Government Code Section 65860 requires that zoning must be consistent with applicable General Plans. Towards that end, Matrix 1 shows the relationship between all General Plan land use map designations (vertical) and all zoning districts contained in the Land Use and Development Code (horizontal). A plus (+) signifies that the zoning district is consistent with the Plan designation and that a parcel shown on the Plan within that designation may be zoned within that zoning district. A zero (0) signifies that the zoning district is not consistent and a parcel as shown within that Plan designation cannot be zoned within that zoning district. All zoning districts are potentially consistent with the Planned Development designations on the General Plan, depending upon the type of Planned Development and land uses permitted as shown on the land use map.



Any land use existing on, or added to, the list of permitted uses, accessory uses, temporary uses and/or uses subject to a Conditional Use Permit in any zoning district shall be consistent with the appropriate General Plan designation, with the purpose and intent of each zoning district, with Policies 56, 57 and 58 of the Land Use Element, and with all other applicable policies of the General Plan.

The matrix indicates that the "A1", "AE" and "FR" Zoning Districts are compatible with all General Plan designations except the Open Space designation, and that the Open Space Zoning District is consistent with all General Plan designations. Each of those zoning districts may be applied in the context of an interim zoning district in all General Plan classifications. In addition, the "R1" and "RA" Zoning Districts are compatible with more intense residential General Plan designations as interim zoning districts.

Interim zoning may be enacted to remain in effect until such time as: 1) adequate infrastructure is in place to accommodate the designated land use; and/or 2) the need for the land zoned for the designated use has been demonstrated. In some cases, land may be placed in an interim zoning district so that the land is restricted to a low-intensity use and held as a development reserve until the end of the 20-year planning period for which the General Plan is designed.



MATRIX 1

The following matrix shows the consistency between General Plan designations and Land use and Development Code zoning districts. Those boxes with a plus (+) signify that the zoning district is potentially consistent with the Plan designation; those boxes with a zero (0) signify that the zoning district is not consistent with the Plan designation.

	Zoning Districts																	
	R3	R2	R1	RA	A1	AE	FR	OS	C2	C1	OP	CH	M2	M1	R&C	P	TPZ	U
UHD	+	+	+	+	+	+	+	+	0	0	0	0	0	0	0	+	+	+
UMD	0	+	+	+	+	+	+	+	0	0	0	0	0	0	0	+	+	+
USF	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	+	+	+
RS	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	+	+	+
RSL	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	+	+	+
E	0	0	+	+	+	+	+	+	0	0	0	0	0	0	0	+	+	+
RR	0	0	0	+	+	+	+	+	0	0	0	0	0	0	0	+	+	+
RRL	0	0	0	+	+	+	+	+	0	0	0	0	0	0	0	+	+	+
F	0	0	0	+	+	+	+	+	0	0	0	0	0	0	0	+	+	+
OS	0	0	0	0	0	0	0	+	0	0	0	0	0	0	0	0	0	0
CR	0	0	0	0	+	+	+	+	+	+	+	+	0	0	0	+	+	+
CN	0	0	0	0	+	+	+	+	0	+	+	0	0	0	0	+	+	+
CH	0	0	0	0	+	+	+	+	0	0	0	+	0	0	0	+	+	+
OP	0	0	0	0	+	+	+	+	0	0	+	0	0	0	0	+	+	+
R&D	0	0	0	0	+	+	+	+	0	0	0	0	0	0	+	+	+	+
M	0	0	0	0	+	+	+	+	0	0	0	0	+	+	+	+	+	+
PD	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
P	0	0	0	0	+	+	+	+	0	0	0	0	0	0	0	+	+	+



Policy 53: Even when the zoning district is consistent with the General Plan land use designation, Nevada County reserves the right to deny development plans providing for permitted uses where adequate findings for approval (including adequate public facilities) and services cannot be made.

Policy 54: Land divisions may be allowed at parcel sizes smaller than the minimums as shown on the Plan land use map where the primary purpose of the division is to allow for the parcelization of legally existing dwellings on one parcel and no new building sites will be created. A legally existing dwelling shall be defined as one built in compliance with all applicable laws in effect at the time of construction.

Policy 55: To provide for a High Density Single-family density in areas where the following standards are met:

- A. The maximum density shall be six units per acre with a minimum parcel size of 7,000 net square feet.
- B. It may only be applied to subdivisions having adequate supplies of both public treated water and sewerage facilities.
- C. Where existing lots within the subdivision boundaries are less than 10,000 square feet in size.
- D. Subdivisions or portions thereof qualifying for this designation must have been in existence prior to the effective date of this policy, December 20, 1982.
- E. Shall be located within five minutes distance from a year-round fire station that has responsibility for structural fires.
- F. Shall be within proximity to an elementary school.
- G. High priority shall be given to traffic safety and a safe circulation pattern.

Policy 56: To recognize the need and allow for certain types of extended family support services and institutional uses in areas in which residential uses



are allowed on the General Plan. This policy recognizes the need to provide for support services to both the urban and rural residential areas throughout the County. While allowing for the establishment of such support services, this policy will protect the residential areas by only allowing the establishment of such support services with a conditional use permit. This will require a finding that the establishment of the uses will have no significant adverse effect on surrounding property or the permitted uses thereof.

Uses which are recognized to be consistent with this policy are those that provide a direct service to the family and/or community and include educational institutions, day care services, places of worship, community and group meeting centers, fire stations, libraries, public utility facilities, other public facilities, and recreation facilities. These uses would be consistent in the UHD, UMD, USF, RS, RSL, E, RR, RRL and F General Plan designations.

Policy 57:

To recognize that there are large rural areas within the County of Nevada wherein agriculture is pursued, and that these areas need certain support uses that are unique to agriculture and its related uses. While allowing for the establishment of such agricultural support services, this policy will protect the permitted uses of such agricultural areas by only allowing the establishment of such support services with a conditional use permit, which will require a finding that the establishment of the use will have no significant adverse effect on surrounding property or the permitted uses thereof.

Uses which may be considered to be consistent with this policy are those which include but are not limited to feed storage, agriculture supplies and sales, veterinarian services, animal boarding, processing and/or sale of agriculture products, and the sale of firewood not produced or grown on the site. In addition to agriculture, the rural areas may allow other consistent uses in the form of but not limited to outdoor recreation and campgrounds and organized camps, retreats, fishing and hunting clubs and mineral extractions. Uses would be considered consistent in the E, RR, RRL and F designations.



Policy 58: Where mining operations have been undertaken on agricultural or timber lands, said lands shall be made to return to agricultural or timber production following mineral extraction.

Policy 59: To recognize the need and importance of managing forest products and natural resources to enhance outdoor recreation in the Forest designation. This policy further recognizes that it is important to provide for an efficient and cost effective means of harvesting and using forest lands. It is further recognized that the forested areas have a need for certain commercial support uses which should be allowed in a manner which is consistent with the forest use and outdoor recreation areas. Uses which are consistent here may include the processing of forest products and natural resources, overnight individual and group outdoor accommodations, outdoor recreation activities including ski resorts, hunting and fishing clubs and equestrian facilities.

These special support uses shall only be allowed to be established with the protection of a conditional use permit which will require a finding that the establishment of the use will have no significant adverse effect on the surrounding property or the permitted uses thereof.

Policy 60: Commercially operated facilities for storage of goods, machinery, equipment or personal property are prohibited in all areas of the County other than in areas designated primarily for commercial or industrial land uses. No expansion shall be permitted of any existing storage facilities except for facilities already in areas so designated as commercial or industrial.

Policy 61: Notwithstanding the density standards provided for in Policy 5, multiple-family housing for a qualified resident senior citizen may be provided at a greater unit density if it can be demonstrated that the impacts will not be greater than those of a conventional multiple housing project. In such cases, a density bonus may be awarded.

(Action needed to implement policy: Amend zoning ordinance by development of density bonus criteria.)



Policy 62: To establish criteria in the County Land Use and Development Code by which the Nevada County Board of Supervisors shall evaluate electrical transmission lines carrying over 120,000 volts and electrical substations. That criteria shall be aimed at protecting the health, safety and welfare of humans and wildlife.

Policy 63: The Plan establishes population density by listing minimum parcels sizes and the maximum permitted number of dwelling units per acre for General Plan designations which permit residential use. Because housing units unrelated to a business are not permitted in areas designated for industrial or commercial uses, population density does not apply in the following designations: Neighborhood Commercial, Regional Commercial, Highway Commercial, Office and Professional, Industrial and Research and Development.

The following chart defines population density for the remaining designations. The average number of people per acre has been determined using 1980 census data.

POPULATION DENSITY

GENERAL PLAN DESIGNATION	MAXIMUM UNITS PER ACRE	PEOPLE PER HOUSING UNIT (1980 CENSUS)	PEOPLE PER ACRE
Urban High Density	20	1.73	35
Urban Medium Density	6	1.73	10
High Density Single-Family	6	2.25	14
Urban Single-Family	4	2.25	9
Residential	.67	2.25	2
Residential Low Density	.5	2.25	1
Estate	.33 to .1	2.25	1
Rural	.1 to .033	2.25	1
Rural Low Density	.033 to .025	2.25	1
Forest	.025	2.25	1

Policy 64: The following chart provides a list of building intensity standards for all land use designations:



BUILDING INTENSITY

GENERAL PLAN DESIGNATION	MAXIMUM IMPERVIOUS SURFACE (%)	MAXIMUM BUILDING HEIGHT	LAND USE DESCRIPTION
Urban High Density	60	3 stories/45'	Part II, Page I-7
Urban Medium Density	50	3 or 35'	Part II, Page I-7
High Den. Single-Family	60	3 or 35'	Part I, Page I-31
Urban Single-Family	60	3 or 35'	Part II, Page I-8
Residential	60	3 or 35'	Part II, Page I-8
Res. Low Density	60	3 or 35'	Part II, Page I-8
Estate	60	3 or 35'	Part II, Page I-8
Rural	40	3 or 35'	Part II, Page I-8
Rural Low Density	40	3 or 35'	Part II, Page I-8
Forest	40	3 or 35'	Part II, Page I-8
Neighborhood Commercial	85	3 or 35'	Part I, Page I-12
			Part II, Page I-9
Regional Commercial	85	4 or 60'	Part I, Page I-11
			Part II, Page I-8
Highway Commercial	85	4 or 60'	Part I, Page I-13
			Part II, Page I-9
Office Professional	85	3 or 50'	Part I, Page I-15
			Part II, Page I-9
Research & Development	85	4 or 60'	Part I, Page I-16
			Part II, Page I-9
Industrial	85	4 or 60'	Part I, Page I-14
			Part II, Page I-9
Public	85	4 or 60'	Part I, Page I-24
			Part II, Page I-9

Policy 65: Consistent with Goal A and Objectives 1 and 5, this Plan is intended to provide for the balanced community concept with land uses classified into various residential, commercial and industrial categories representative of a diversified, balanced community where there is an adequate amount of commercial and industrial land set aside to support the selected population. This Plan provides for the support of projected growth in the County to the year 2000 through the designation of land in each category to provide the balance between residential development, employment, shopping and community facilities.

At the time of the adoption of the Plan in 1980, it was projected by the State Department of Finance that the County population would be approximately 83,400 (Population Projection Series D-225). More recent State projections have projected the year 2000 population to be 122,900 (Report 83 P-1).



Despite this unanticipated level of population growth, the Plan's land use map will continue to provide for future commercial, industrial, and residential development. More specifically:

1. Based on a ratio of current population to existing commercial land, the Plan's land use map provides sufficient commercially-designated land (approximately 1,540 acres) to support approximately 163,000 people.
2. Based on a similar ratio for industrial land, the map provides sufficient industrially-designated land (approximately 2,640 acres) to support approximately 230,000 people.
3. Based on the total development of those map designations that permit residential development, the map provides sufficient residentially-designated land to support approximately 195,000 people.

These projections include the incorporated cities of Grass Valley and Nevada City.

Policy 66: To further the Planned Development concept as presented in previous General Plan policies, Planned Developments may be allowed on non-contiguous residential parcels provided that:

- a. The parcels are within the same General Plan designation.
- b. The density of the General Plan is not exceeded for the non-contiguous planned development.
- c. The parcels are within the same geographic area and impact the same special district and/or service area boundaries and have access to the same through road (arterial, collector street or road).
- d. Both (all) parcels included within the non-contiguous Planned Development are zoned with the "PD" Planned Development Combining District and a use permit is obtained.



- e. Both (all) parcels are covered by a recorded development agreement or such other agreement that the County may approve.
- f. The donor parcel(s) is (are) zoned to reflect the remaining residential density. If all residential density is transferred, the parcel(s) shall be zoned "OS" Open Space Zoning District and an open space easement shall be granted to the County or an offer shall be made to deed the property to a public agency for open space purposes.
- g. The transfer of development rights between both (all) parcels can clearly be demonstrated to be in the public's interest.
- h. The maximum density of the receiving parcel will not exceed the combined density of both the donor and receiving parcel or a tripling of the density of the receiving parcel, whichever is less.

Policy 67:

To provide for facilities for the management of hazardous waste produced on-site in the Neighborhood Commercial, Regional Commercial, Highway Commercial, Research and Development, Industrial and Public land use designations, and to provide for facilities for the management of hazardous waste produced on or off-site in the Industrial and Public land use designations. All facilities shall be located in a manner consistent with criteria established in the Nevada County Hazardous Waste Management Plan, approved by the Nevada County Board of Supervisors by Resolution No. 88-671 on December 27, 1988, and as that plan may be amended.



NEVADA COUNTY GENERAL PLAN
CIRCULATION ELEMENT - 1988
Part I: Text

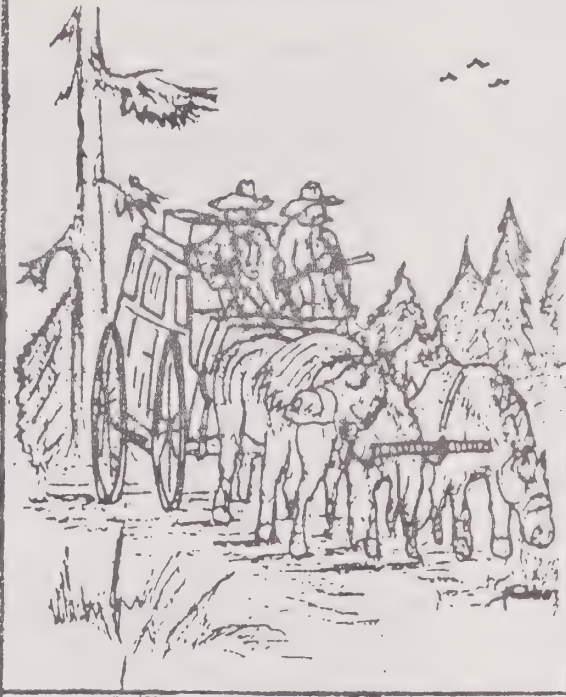
INTRODUCTION

The circulation element has been a requirement of State law since 1955. Its intent is to provide for the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public facilities and utilities, all correlated with the land use element of a communities' General Plan. It is actually an infrastructure plan that concerns itself with the circulation of people, goods, energy, water, sewage, storm drainage, and communications. Its provisions must support the goals, objectives and policies of a communities' land use element.

Nevada County's first Circulation Element was adopted in 1967 as a part of the County's first General Plan. A major revision to the Nevada County General Plan, including the Circulation Element, occurred in 1980. This new Element was identical to the Nevada County Regional Transportation Plan (RTP), adopted in 1978.

The RTP is also a requirement of State law. The intent of the RTP is to provide for a coordinated and balanced regional transportation system, including, but not limited to mass transportation, highway, railroad, maritime, and aviation facilities and services. The Nevada County RTP provides direction to the County of Nevada and each of the incorporated cities of Grass Valley and Nevada City. Coordination, consistency, and compatability between the Circulation Element of the County and two cities is strongly encouraged by the RTP.

The first RTP was adopted in 1975. Amendments occurred in 1978, 1980, and 1984. The purpose of this amendment to the Circulation Element is to provide for consistency with the most recent amendment to the RTP as of late 1987. This Element's goals, objectives, and policies recognize, accept, and are based upon the needs assessment and analysis as found in the current RTP. The reader is referred to that document, the County's current Five-Year Road Improvement Program, and the State Transportation Improvement Program for a detailed discussion of existing and projected street and highway improvements and needs.



THE JAMES BIRCH STAGECOACH COMPANY PROVIDED NEVADA COUNTY'S FIRST TRANSPORTATION SERVICE FROM NEVADA CITY & GRASS VALLEY TO SACRAMENTO AND BACK BEGINNING IN 1850.



POPULATION GROWTH

Based on 1970 and 1980 census data, Nevada County was the fastest-growing county of California's 58 counties. Based on the most recent projections from the Population Research Unit of the State Department of Finance, this growth is likely to continue, with Nevada County projected to be the second-fastest growing county in the State from 1985 to the year 2020.

The following provides information on Nevada County population growth by year:

<u>Year</u>	<u>Population</u>	<u>Annual % Increase</u>
1960	21,200	1%
1970	26,346	2%
1980	51,645	10%
1988	75,330	6%

The Nevada County General Plan is intended to provide for future growth to the year 2000. The Land Use Element, amended in 1980, provided for a population of 83,400 by that year. This figure was based on a population projection made by the State Department of Finance (Population Projection Series D-225). This figure was updated by the State in 1983 projecting a year 2000 population of 122,900 (Report 83 P-1). The most recent State projection (Report 86 P-1) calls for a population of 113,800.

Despite this unanticipated level of growth, recent amendments to the Land Use Element make clear that the Nevada County General Plan continues to provide for the future growth and development of the County to the year 2000 and beyond. The reader is referred to Land Use Element Policy 64; this policy demonstrates that the Plan provides for an adequate amount of residential, commercial, and industrial lands to serve future growth.

The purpose of this amendment is to bring the Circulation Element into conformity with the existing and projected population growth and development and to provide for continued consistency with the Land Use and Circulation Elements.

STATE HIGHWAY SYSTEM

Nevada County recognizes the complexity of providing for a State highway system. Many agencies and individuals play major roles in how, how much, and where system funds will be spent and improvements made. The Federal government, State Governor, State legislature, and general public all assist in determining the level of funding.



The State legislature determines, by statute, the priority for expenditure of funds. The California Transportation Commission programs highway funds and determines specific improvements based on adopted legislative priorities. The State Department of Transportation (Caltrans) owns, operates, maintains, builds, rehabilitates, and plans the system. For simplicity sake, this Element shall refer to the "State" when referring to the myriad of players discussed above.

Relative to the State system, Nevada County recognizes that all new growth and development within the County and the State has a cumulative effect on the State highway system within the County and that, due to current major funding shortfalls, the system is impacted and overburdened. This funding shortfall is so great that clearly identified improvements to State highway segments and intersections cannot be made in a timely manner.

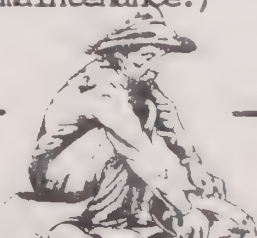
Given this funding shortfall, it is possible that the "level of service" on various highways within the County may reach the failure mode (level of service "F") before improvements are made. The result is that if the County is to experience growth in population and new development, it is very likely that there will be a degradation of the State highway system until additional funding is made available and identified improvements made.

The County has made a commitment to aggressively pursue all funding sources to resolve this problem. In addition, the County has in the past and will continue in the future to partially fund critical State highway improvements with local monies as they are available.

However, the County recognizes that local government and specifically the County does not have, nor is it ever likely to have, the financial ability to make all of the improvements to the State highway system within the County which will be needed as the County grows. Given this problem, the County finds that unless the County is willing to accept the short-term degradation of the system pending that funding necessary for improvements needed to accommodate additional growth and development within the County and the State, then the County will be faced with no growth at all.

The County finds that the following problems would be a direct result of accepting a no growth option for the County:

- A. A no growth policy would cost many existing County residents employed in the construction and related trades and supply industries their job, and would, in time, have significant and potentially far-reaching consequences on the economy of the County.
- B. This economic decline would in turn result in a depressed tax base for the County and other local agencies and would, in turn, lead to a reduction in the level of service provided to the residents of the community. (For example, there would be less money per capita for schools, for fire and police protection and for County road improvements and maintenance.)



- C. An absolute prohibition against growth would prohibit the development of new housing which, in turn, would lead to a housing shortage as the retirees and others seeking to move to the County and the young people of the County compete for a declining supply of housing. Such a scenario is clearly inconsistent with the goals, policies and intent of the Nevada County Housing Element.

The County also finds that there is a serious question as to the legality of denying the owners of undeveloped property the right to develop their property which would result from the acceptance of a no-growth option. Reference is made to the U.S. Supreme Court's 1987 decision in First English Evangelical Church v. County of Los Angeles. In effect, imposition of a no-growth policy could be viewed as an act of inverse condemnation requiring the County to compensate all of the adversely affected property owners. Such legal action would, most likely, bankrupt the County and/or result in the courts overturning the no-growth policy.

The County further finds that if the County is forced to implement a no-growth policy due to the aforementioned funding limitation, the State, in essence, becomes the de facto planning agency for the County, a situation which is not contemplated by the State Planning Act (Government Code Sections 65000, et seq.).

Even with implementation of such a no-growth policy, level of service and safety problems will continue to worsen. An unknown, but likely high, percentage of the traffic on the State highway system in Nevada County is made up on tourists and recreationalists who would be unaffected by the County's attempt to control local growth and development.

The County policy set forth herein reflects a legislative decision and a balancing of the competing interests and problems facing the County. The policy reflects the determination that local land use policy relative to growth and development must be based on a realistic assessment of local and State financial constraints, legal constraints, and other County goals and interests.

The County believes that the correlation of this Element with the Land Use Element of the County General Plan can ultimately be achieved even though the funding shortfall, as described herein, may result in the short term impaction to various State highways within the County. The County finds that correlation and internal consistency of the General Plan does not require improvements to the State highway concurrently with the growth and development impacting same.

Rather, the correlation requirement of State law must allow the construction of the improvements to the State highways system to, within reason, lag behind the growth and development in the County and the State.



PUBLIC FACILITIES AND UTILITIES

Though not a requirement of the RTP, the Circulation Element must also provide for an analysis of existing and projected public facilities and utilities necessary to serve future growth. The approach taken by the Nevada County General Plan is to provide for the majority of this analysis within Parts II and III of the existing Plan. The following reference list refers the reader to that section of the General Plan where there exists a discussion of existing and projected public facilities and utilities:

<u>Public Facility or Utility</u>	<u>Existing</u>	<u>Projected</u>
Public Water	Part III, pg I-22	Part II, pg II-32
Public Sewerage	I-26	II-36
Energy	I-30	II-48
Schools	I-30	II-43
Telephone	I-32	II-48
Recreation	I-32	II-50
	Nevada County Recreation Element 1982.	Nevada County Recreation Element 1982.
	Nevada County Recreation Plan 1987.	Nevada County Recreation Plan 1987.
Solid Waste	Part III, pg I-35	Part II, pg II-48
Fire Protection	I-36	II-46
Police Protection	I-37	II-47
Hospital	I-37	II-51
Library	I-38	II-52
Government Buildings	I-38	II-51
Transportation	Part III, Chapter II	Part II, pg II-39 Part III, Chapter II

In addition to the discussions referenced above, the reader is referred to the Public Facilities and Utilities Maps found at the end of this Element, providing the geographical location of existing and, where available, projected public facilities and utilities.

GOALS

The circulation system within the County shall:

- a. Provide for the movement of all residents, visitors, and goods in a safe and efficient manner.
- b. Involve a minimum of negative impacts on the natural, social, cultural, and historical environment, and the quality of life.
- c. Be within the ability of the user and the government to finance.



- d. Provide the opportunity to the user to select their mode of travel.
- e. Support the goals, objectives and policies of the Cities, Nevada County Regional Transportation Commission and other responsible agencies.
- f. Provide for correlation between the Land Use and Circulation Elements to ensure a proper balance between growth and the public facilities and utilities necessary to support this growth.

OBJECTIVES

- 1. Public transportation should be provided where economical as a means of fulfilling the mobility needs of those segments of the community to whom private transportation is not available.
- 2. Develop public transportation as an alternative mode to private transportation.
- 3. The existing road and street system (Collectors and Arterials) should be improved and maintained to provide a high level of service to the developed areas in accordance with the following order of importance:
 - 1st: Safety
 - 2nd: Rideability - Road Surface
 - 3rd: Efficiency - Capacity and travel speed
- 4. Construction of additional streets and roads with public funds should be secondary to improving, maintaining, and realigning the existing system.
- 5. Limit the County-funded construction of new roads for recreational purposes.
- 6. Improving and maintaining existing roads utilized by the tourists should be secondary to roads used primarily by local residents.
- 7. Existing general aviation facilities should be maintained, and attention should be paid to commercial air service when it is shown that such service is economically viable.
- 8. The use of rail service along existing tracks should be encouraged as a form of mass transportation.
- 9. Pedestrian facilities should be considered and encouraged in the high density areas.



10. Bike and equestrian facilities should be considered in conjunction with the construction of other facilities when feasible from a safety aspect, and when it has been determined that the facility has a circulation function.
11. The implementation program for each mode shall be within the financial means of government.
12. User charges should recover as much of the cost as possible and still provide the service.
13. The County shall provide for an on-going, comprehensive, exhaustive search for additional Federal, State, local, and private funds for street and highway improvement, maintenance, and realignment.
14. The primary and secondary adverse environmental impacts of each element of the circulation system should be fully analyzed prior to implementation, and either avoided or minimized consistent with the intent of CEQA.
15. The circulation system should compliment other elements of the General Plan in the management and conservation of regional resources.
16. The circulation system shall support the desired development of the County in a coordinated manner within the framework of other elements of the General Plan.
17. Provide that future population growth and land development is served with adequate public facilities, including an adequate transportation system, and public utilities.
18. Provide for compatability between this Element and the Nevada County RTP through the development of policies based on the RTP's needs assessment.

POLICIES

1. This Element shall remain compatible with the goals, objectives, policies, and intent of the Nevada County RTP. It recognizes, accepts, and formally adopts the RTP's needs assessment based on existing and projected population growth and development. The County shall consider an amendment to this Element on a biennial basis consistent with updates to the RTP.



2. Nevada County shall provide for a comprehensive local street and road improvement program through the implementation of the following sub-policies designed to provide for the continued correlation between the Land Use and Circulation Elements and compatibility between existing and future population growth and development and the local street and road system necessary to provide for this growth:

- a. Implement a comprehensive and aggressive funding program that ensures that all Federal, State, and local funding sources are identified, analyzed, and used to the maximum extent possible in meeting the funding shortfall for local streets and roads as discussed in this Element. To this end, Objectives 11, 12, and 13, and Policies 5 through 16 of this Element are hereby determined to be the cornerstone of this program.
- b. Spend existing and future local street and road funds in as efficient a manner as possible so as to receive the greatest benefit for the fewest dollars spent. To this end, future major street and road improvements, as identified in the County's annual Road Improvement Program, shall be based on and consistent with the goals, objectives, and policies of this Element.

Consistent with Objective 3 and the intent of this policy, the following types of local street and road improvements shall be emphasized in order of priority:

- 1) Projects needed to maximize the safety of the street and road system on high accident road segments and intersections, including but not limited to, additional road widths and turn lanes, realignments, shoulder improvements, bridge improvements, hazard elimination and traffic control devices.
- 2) Projects needed to improve rideability. Such projects include, but are not limited to, pavement extension and rehabilitation.
- 3) Projects needed to improve capacity and travel speed, particularly in the congested urbanizing areas of Grass Valley-Nevada City and Truckee to ensure a level of service at or above level of service "D" based on the 200th highest peak hour (typical week day). Such projects include, but are not limited to, interchange improvements, additional road lanes and/or widths, turn lanes, signalization, and bridge improvements.



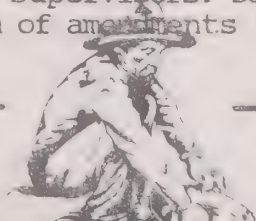
In limited circumstances, and in recognition of Objective 4, construction of additional streets and roads may also be necessary where determined to be cost-effective.

- c. If it is determined by the County that any given local street or road segment or intersection no longer adequately serves the growth and development for a given area, the County shall take that action necessary to ensure compatibility between future growth and the road system necessary to serve that growth.

Said action shall include the implementation of a specific local street and road improvement program and/or land use control program that temporarily slows, restricts, or stops future growth until said improvements providing for compatibility are made. The basis for a determination of compatibility shall be that criteria found in Policy 2.b.

3. Relative to the State highway system, the County recognizes the major funding limitations that exist within this system and finds that as a matter of legislative policy, additional growth and development should be allowed to occur within the County, not withstanding the fact that the system may be adversely impacted in the short-term by this growth and development. Therefore, it shall be the policy of the County to:

- a. Encourage the partnership that exists between Nevada County and the State in working together to solve State highway system problems and funding limitations.
- b. Commit local monies, when available, in the partial funding of critical State highway improvements. As a part of this commitment, the County shall continue to pursue the use of development fees from private development as a funding source.
- c. Begrudgingly accept the short-term impacts to the State highway system resulting from growth and development within the County until adequate funding is made available and improvements made.
- d. Monitor State activities in responding to the needs of the system within the County.
- e. Should financing not be made available, the County shall review its policies to determine if additional growth and development should be curtailed in the impacted areas. This review and monitoring by the County Planning Commission shall occur on a biennial basis timed to sequence with RTP updates. The Commission shall then forward a report and recommendation to the Board of Supervisors. Said report and recommendation may take the form of amendments to this Element consistent with Policy 1.



4. Nothing in the above policy or any section of this Element should be construed to imply a lack of local commitment to resolve potential incompatibilities between future growth and the State highway system. Nevada County recognizes a responsibility to assist in the provision of a State highway system that adequately meets the needs of the people of the County and will continue to analyze the system, acknowledge problem areas, and remain committed to working with other agencies in the solutions to these problems.
5. The County may deny those amendments to the Land Use Element of this Plan that exacerbate an identified local or State road or highways problem.
6. The County supports the Nevada County Regional Transportation Commissions policy to withhold Transportation Development Act Fund allocations to a local entity, if said entity is not complying with the RTP's projects, programs, and policies.
7. New development shall be required to provide for road improvements directly associated therewith.
8. A method to require private timber sales to mitigate their impact on public roads should be pursued.
9. A method to require the expenditure of traffic fines and forfeitures on transportation facilities should be pursued.
10. Contributions to mitigate the cumulative impact of development on the functionally classified road system are to be required. The County shall continue to collect development fees in an amount sufficient to offset the costs identified by sphere as the future street and highway needs of the County. The amount of said fees shall be reviewed biennially to coincide with updates to this Element.
11. Federal legislation making funds available for transit system operating expenses should be supported.
12. The pursuit of all reasonably available Federal transportation money to fulfill demonstrated needs should be encouraged.
13. Adoption of an increased gas and/or sales tax should be encouraged for transportation purposes.
14. Two percent of the available Transportation Development Act Funds for bike and pedestrian facilities should be reserved in accordance with the transportation objectives.



15. Responsible agencies are encouraged to propose consideration of assessment districts for assisting in the financing of projects and programs consistent with the standards and criteria as found in this Element.
16. Federal Aid Urban (FAU) Funds made available to the Nevada City/Grass Valley FAU area shall be identified for use by the County and the two Cities in a cooperative manner.
17. If the future availability of Transportation Development Act and other funds make continued funding of a general public transit system unreasonable attention should be directed toward expansion of the specialized transportation service for the elderly, disabled, young, low income, and others whose personal mobility is restricted.
18. The "elderly and disabled" transportation programs in Nevada County are intended to provide some transportation services to eligible patrons within the County boundaries (including Cities and County) only. The only exception is out-of-county trips by eligible residents for medical services not available within the County communities, Grass Valley/Nevada City or Truckee, respectively.
19. The network of streets and highways which have regional significance, and which were studied as part of the Circulation Element, is known as the Functional Classification System, and is shown on Exhibits 1 and 2. In addition, Exhibit 5 provides the criteria used to define the system, and Exhibits 6 through 12 provide specific construction standards for the system.
20. The network of streets and highways which are eligible to receive specified Federal funds is known as the Federal Aid System, and is shown on Exhibits 3 and 4.
21. The realization of the goals and objectives relative to existing and future public facilities and utilities as found in the Land Use and Circulation Elements can best be accomplished through the development and implementation of a comprehensive set of policies designed to ensure that future growth and development is predicated upon the provisions of needed facilities and services.

Said policies can be found in this Element. In addition, the following list of Land Use Element policies also assist in providing land use direction relative to the provision of adequate public facilities and utilities:



Policy 1

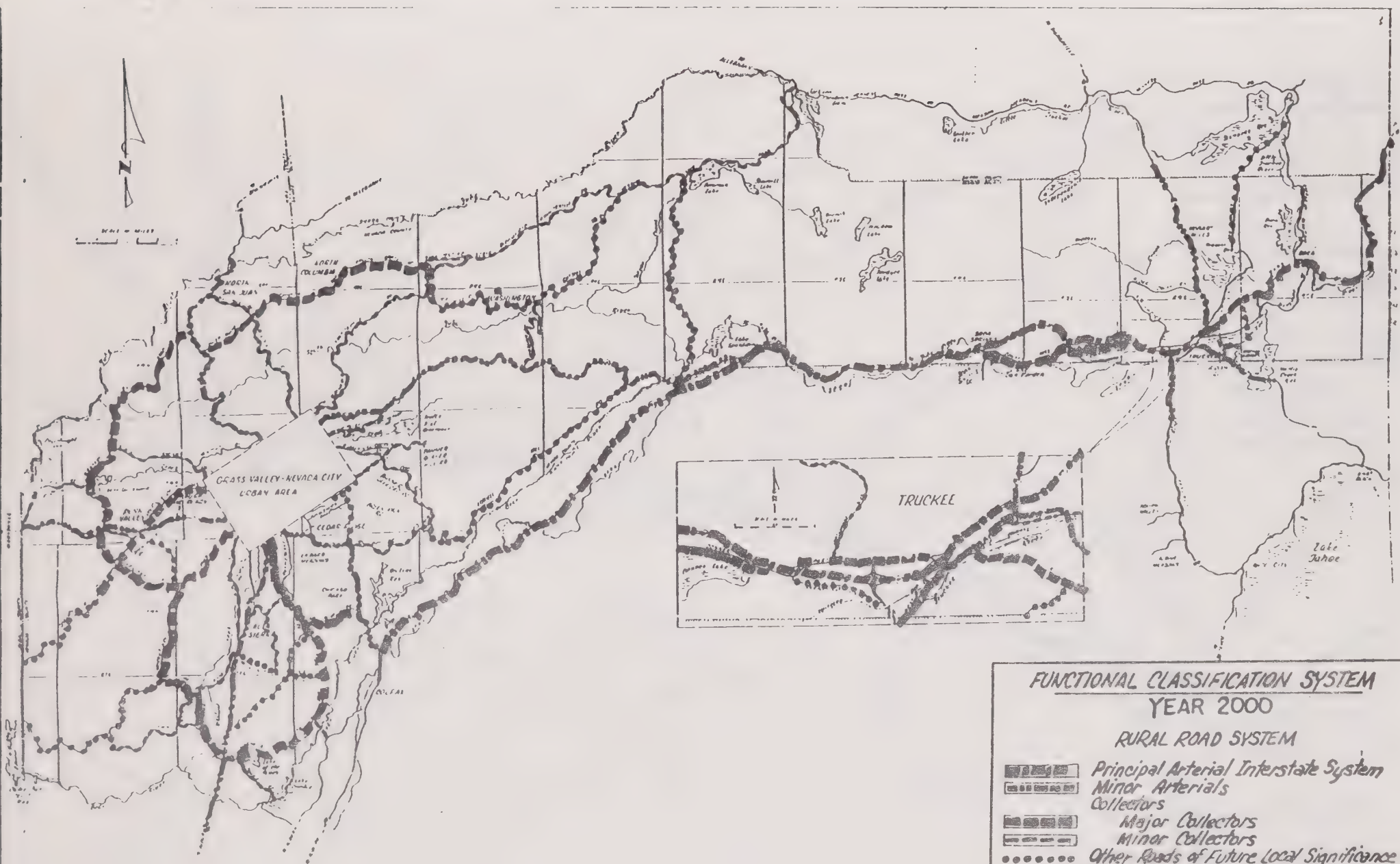
- 5 C., D., E., F., G., and H.
- 6
- 7 C., E., F., G., H., and J.
- 8 D., E., F., and H.
- 9 C., D., E., and G.
- 10 C., D., E., F., G., and J.
- 11 C., D., E., F., and G.
- 12
- 13 B., C., D., and E.
- 15
- 17
- 19
- 20
- 21
- 22
- 26
- 41
- 52
- 53
- 55 B., E., F., and G.

22. If it is determined by the County that any public facility for which Nevada County has direct responsibility no longer adequately serves the growth and development for a given area, the County shall take that action necessary to ensure compatability between future growth and the public facility necessary to serve that growth.

Said action shall include the implementation of a specific public facility improvement program and/or land use control program that temporarily slows, restricts, or stops future growth until said improvements providing for compatability are made.



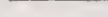

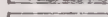


To minimize the incompatibility between future growth and those public facilities and utilities for which Nevada County does not have direct responsibility, Nevada County shall develop an on-going, working relationship with said entities to ensure that future growth and needed public facilities and utilities are consistent with the goals, objectives, and policies of this Element and the Land Use Element of this Plan.





FUNCTIONAL CLASSIFICATION SYSTEM **YEAR 2000**

RURAL ROAD SYSTEM

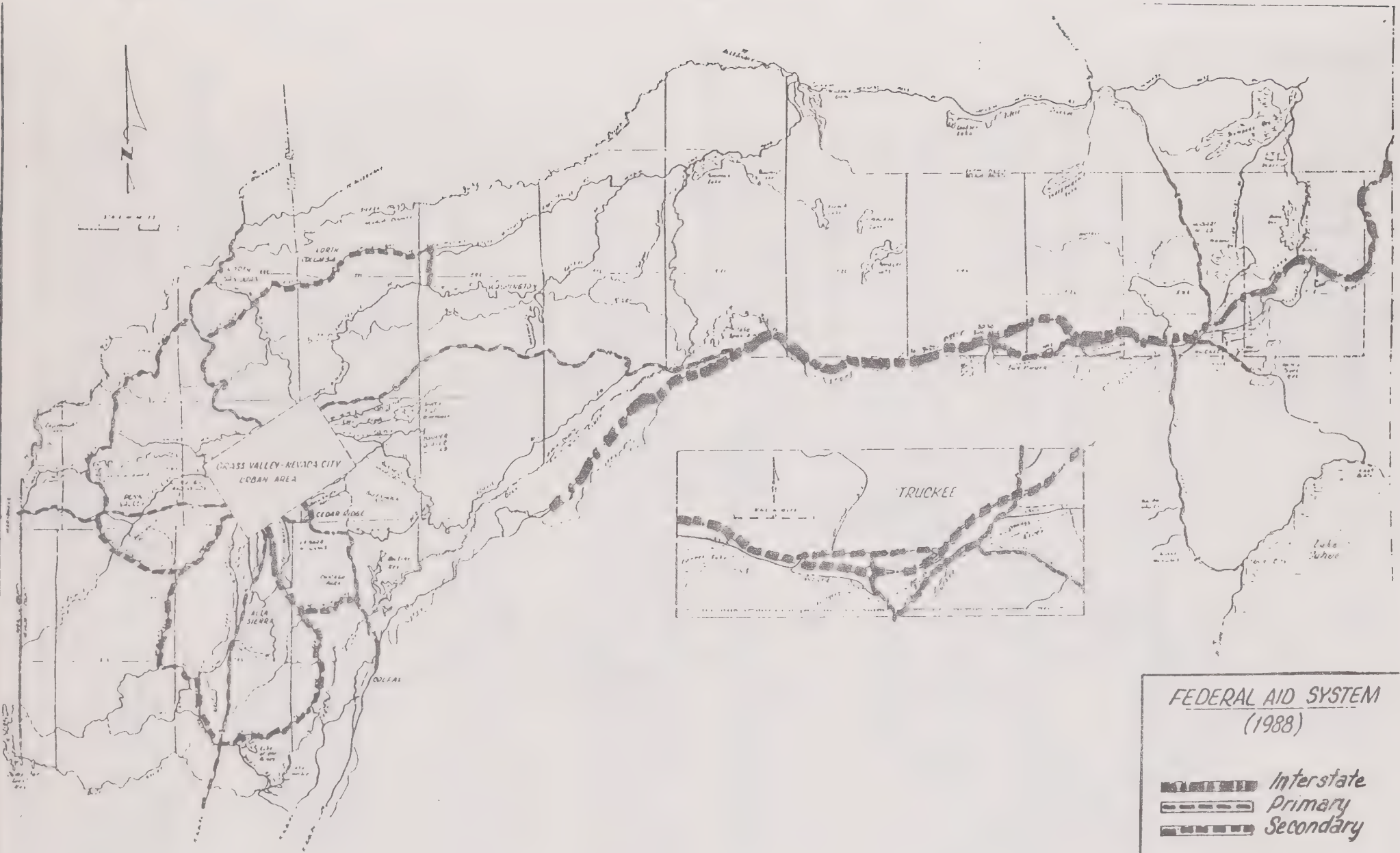
-  **Principal Arterial Interstate System**
-  **Minor Arterials**
-  **Collectors**
-  **Major Collectors**
-  **Minor Collectors**
-  **Other Roads of Future Local Significance**
-  **Urban Limits**
(Grass Valley-Nevada City, designated)
(Truckee, undesignated)

II-13 EXHIBIT: 1



II-14

EXHIBIT 2



**FEDERAL AID SYSTEM
(1988)**

-  Interstate
-  Primary
-  Secondary



II-K6 EXHIBIT 4

Exhibit 5: Functional Classification Criteria

RURAL ROAD SYSTEM

Rural Principal Arterial System

Serve corridor movements having trip length and travel density characteristics indicative of substantial statewide or interstate travel.

Serve urban areas of 50,000 and over population and a large majority of those with populations of 25,000 and over.

Provide an integrated network without stub connections.

Rural Minor Arterial Road System

Link cities and larger towns.

Be spaced at such intervals, consistent with population density, so that all developed areas of the State are within a reasonable distance of an arterial highway.

Provide service to corridors with trip lengths and travel density greater than those predominantly served by rural collector or local systems. Minor arterials therefore constitute routes whose design should be expected to provide for relatively high overall travel speeds, with minimum interference to through movement.

Rural Collector Road System

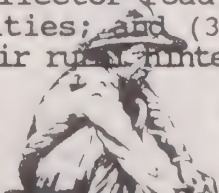
The rural collector routes generally serve travel of primarily intra-county rather than statewide importance and constitute those routes on which predominant travel distances are shorter than on arterial routes.

Major Collector Roads

(1) Provide service to any county seat not on an arterial route to the larger towns not directly served by the higher system, and to other traffic generators of equivalent intra-county importance such as consolidated schools, shipping points, county parks, important mining and agricultural areas, etc.; (2) link these places with nearby larger towns or cities, or with routes of higher classification; and (3) serve the more important intra-county travel corridors.

Minor Collector Roads

(1) Be spaced at intervals, consistent with population density, to collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road; (2) provide service to the remaining smaller communities; and (3) link the locally important traffic generators with their rural hinterland.



Rural Local Road System

(1) Serve primarily to provide access to adjacent land; and (2) provide service to travel over relatively short distances as compared to collectors or other higher systems.

URBAN ROAD SYSTEM

Urban Principal Arterial System

The principal arterial system should carry the major portion of trips entering and leaving the urban area, as well as the majority of through movements desiring to bypass the central city. In addition, significant intra-area travel, such as between central business districts and outlying residential areas, between major inner city communities or between major suburban centers should be served by this class of facilities.

Urban Minor Arterial Street System

The minor arterial street system should interconnect with and augment the urban principal arterial system and provide service to trips of moderate length at a somewhat lower level of travel mobility than major arterials.

Urban Collector Street System

The collector street system differs from the arterial systems in that facilities on the collector system may penetrate neighborhoods, distributing trips from the arterials through the area to the ultimate destination which may be on a local or collector street.

LOCAL ROAD SYSTEM

For both the rural and urban road systems, the local road system is designed primarily to provide access to adjacent land and to provide service to travel over relatively short distances as compared to arterials, collectors, or other higher systems. Therefore, the local road system does not have regional significance and has not been studied as a part of the Functional Classification System. Specific construction standards will vary for said roads depending upon the type and intensity of adjacent land use.



EXHIBIT 6

CONSTRUCTION STANDARDS

Functional Classification	General Speed Limit (MPH) ¹	Minimum Design Speed (MPH)	Required Average Road Speed Range (MPH)	Minimum Level of Service	Minimum Width (Foot)	
					Travel Lane	Lateral Clearance
Rural:						
Principal Arterials						
Interstate System	55	50	50-60	D	12	8
Other Principal Arterials	55	40	45-55	D	12	8
Minor Arterials ²	45-55	30	40-55	D	12	4
Collector:						
Major Collectors	45	20	30-45	D	11	2
Minor Collectors	35	20	20-35	D	10	2
Urban:						
Principal Arterials						
Freeways and Expressways	50	50	N/A	D	12	N/A
Other Principal Arterials	35	20	N/A	D	12	N/A
Minor Arterials	35	20	N/A	D	12	N/A
Collectors	25	10	N/A	D	10	N/A

1. Desired design speed.

2. Highway 49 south of Grass Valley, Highway 20 west of Grass Valley, Highway 267 and Highway 89 south of Truckee shall conform to principal arterial standards.

EXHIBIT 7

TYPICAL SECTIONS

Rural:

Principal Arterials	
Interstate System	N.A.
Other Principal Arterials	I
Minor Arterials	II
Collectors	
Major Collectors	III
Minor Collectors	IV

Urban:

Principal Arterials	
Freeways and Expressways	N.A.
Other Principal Arterials	II
Minor Arterials	II
Collectors	I

Notes:

- 1-Larger sections may be required for capacity purposes as indicated in the Circulation Element (See Exhibits 11 and 12)
- 2-Shoulders on rural sections may be surfaced in accordance to the desires of the maintaining agency.
- 3-Additional Right-of-way or easements may be necessary for slopes and snow removal.
- 4-Street lights to be included on all fully improved urban sections.
- 5-Cross slopes and ditches are to be in accordance with appropriate design standards.

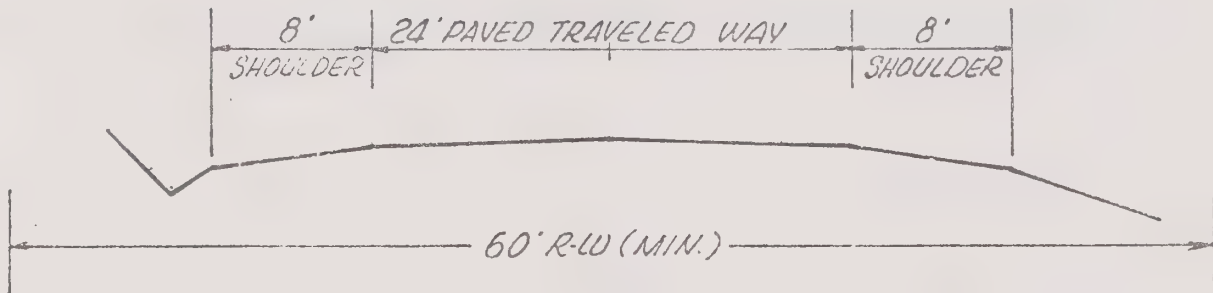
-Highway 49 South of Grass Valley, Highway 20 West of Grass Valley, Highway 267, and Highway 89 South of Truckee shall conform to principal arterial standards.

-Sidewalk, curb/gutter, and parking lane, as shown on Urban Area Cross-sections, are at option of maintaining agency. If parking lane is not provided, travel lane width next to curb is to be increased by two (2) feet. If curb/gutter and sidewalk are not provided, applicable Rural Area shoulder is to be provided.



RURAL AREA CROSS-SECTIONS

I



II

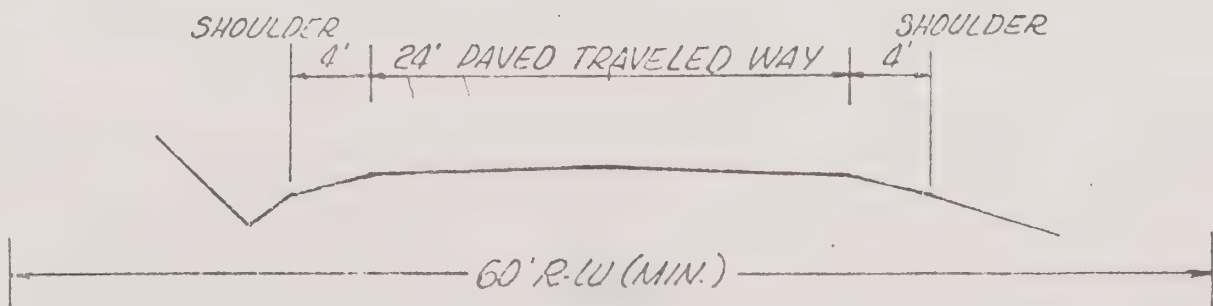
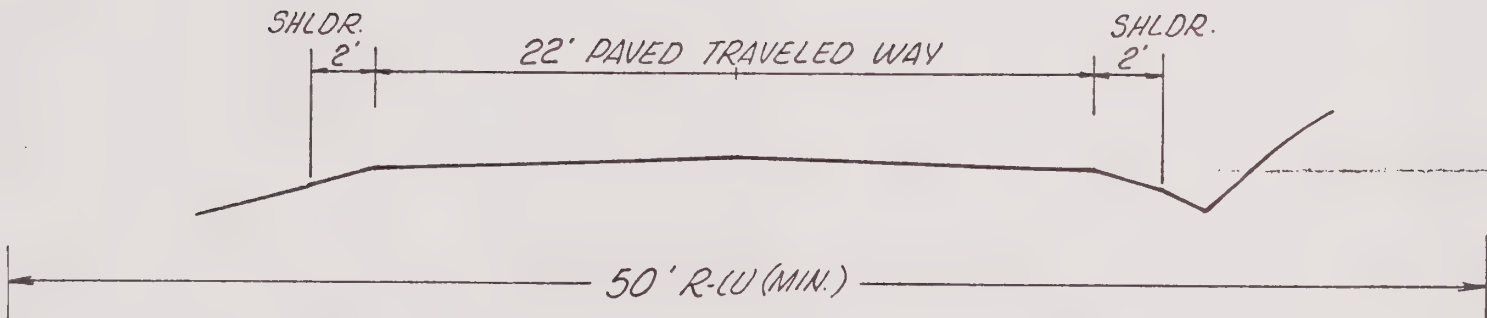
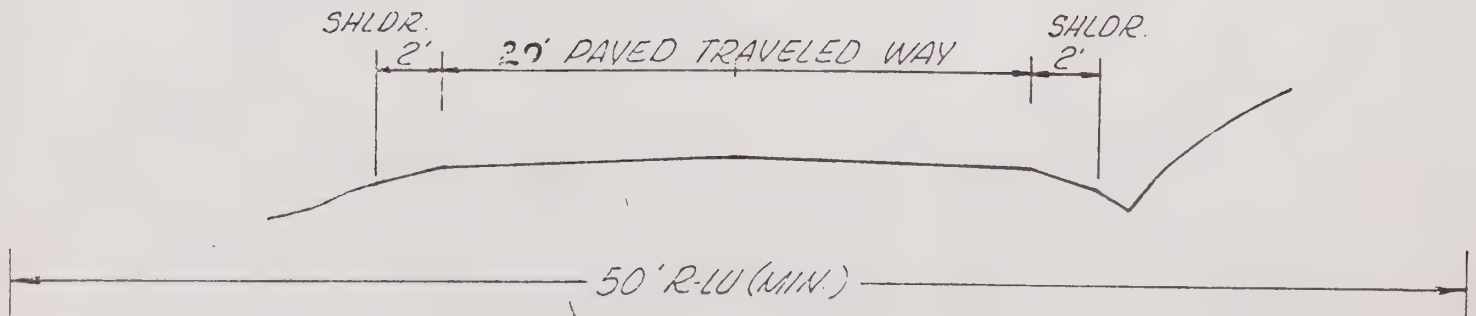


EXHIBIT 9

III



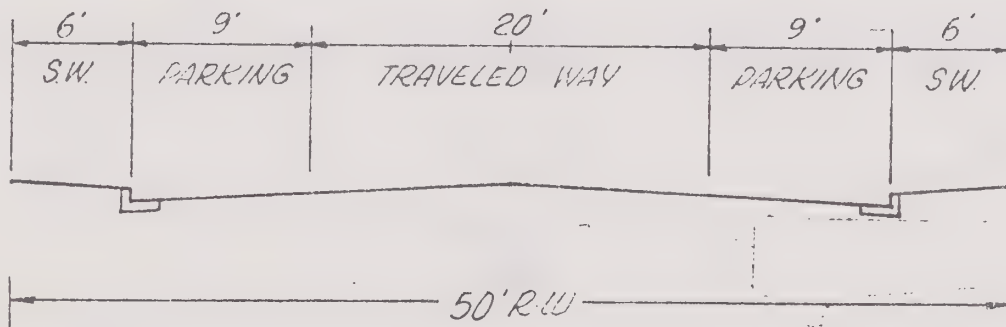
IV



URBAN AREA CROSS - SECTIONS

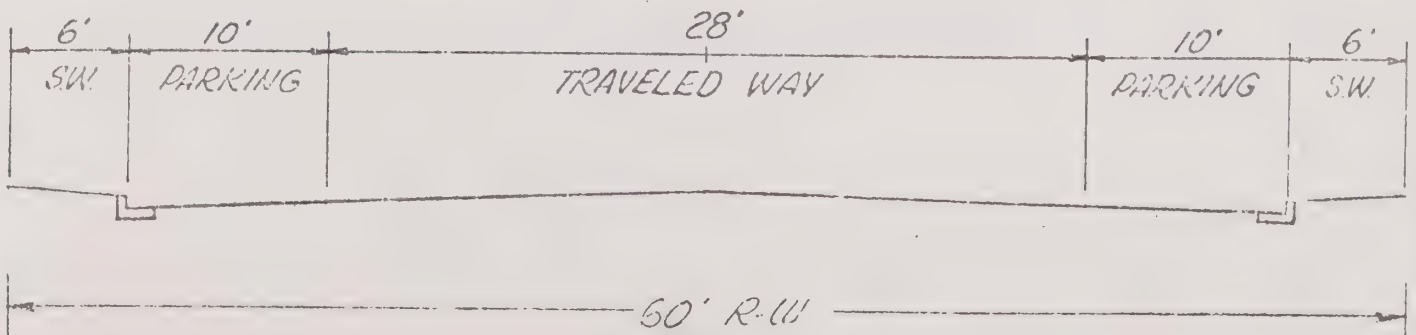
I

(2-LANES, PARKING)



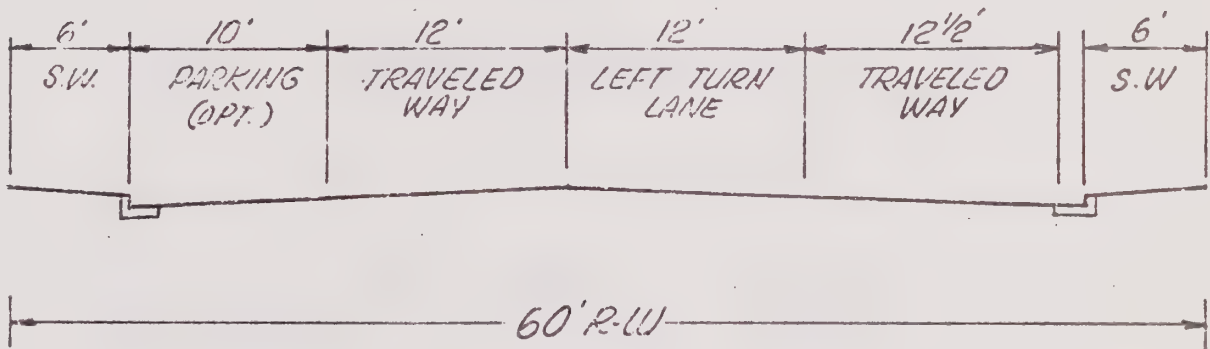
II

(2-LANES, PARKING)



III

(2-LANES, LEFT TURN LANE AND PARKING ONE SIDE ONLY)



IV

(4-LANES, PARKING)

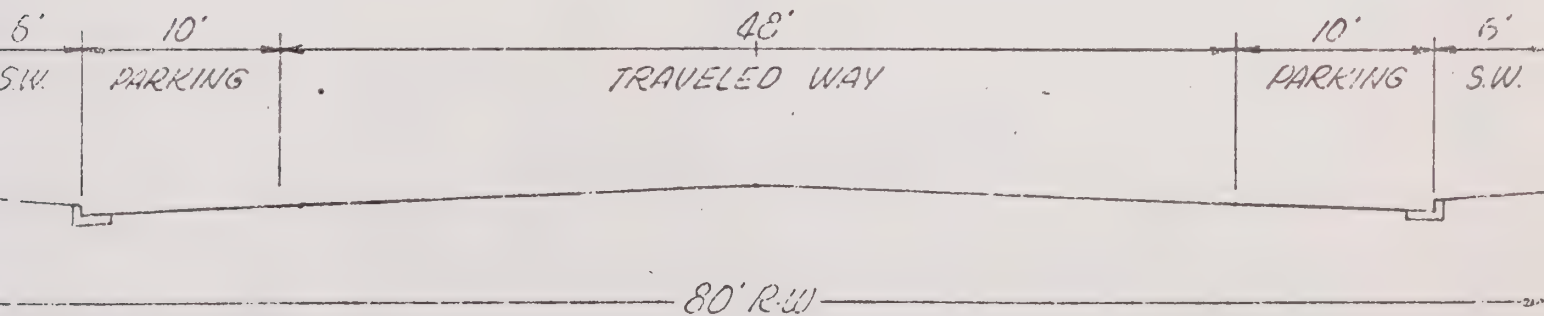
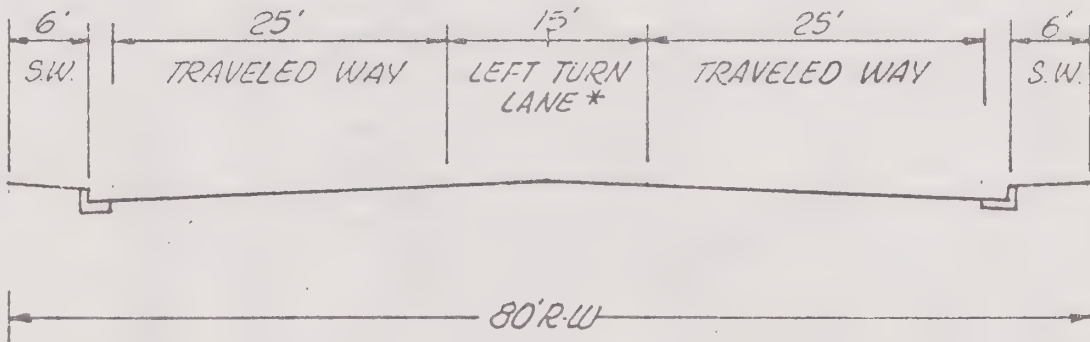


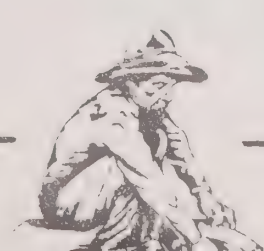
EXHIBIT 12

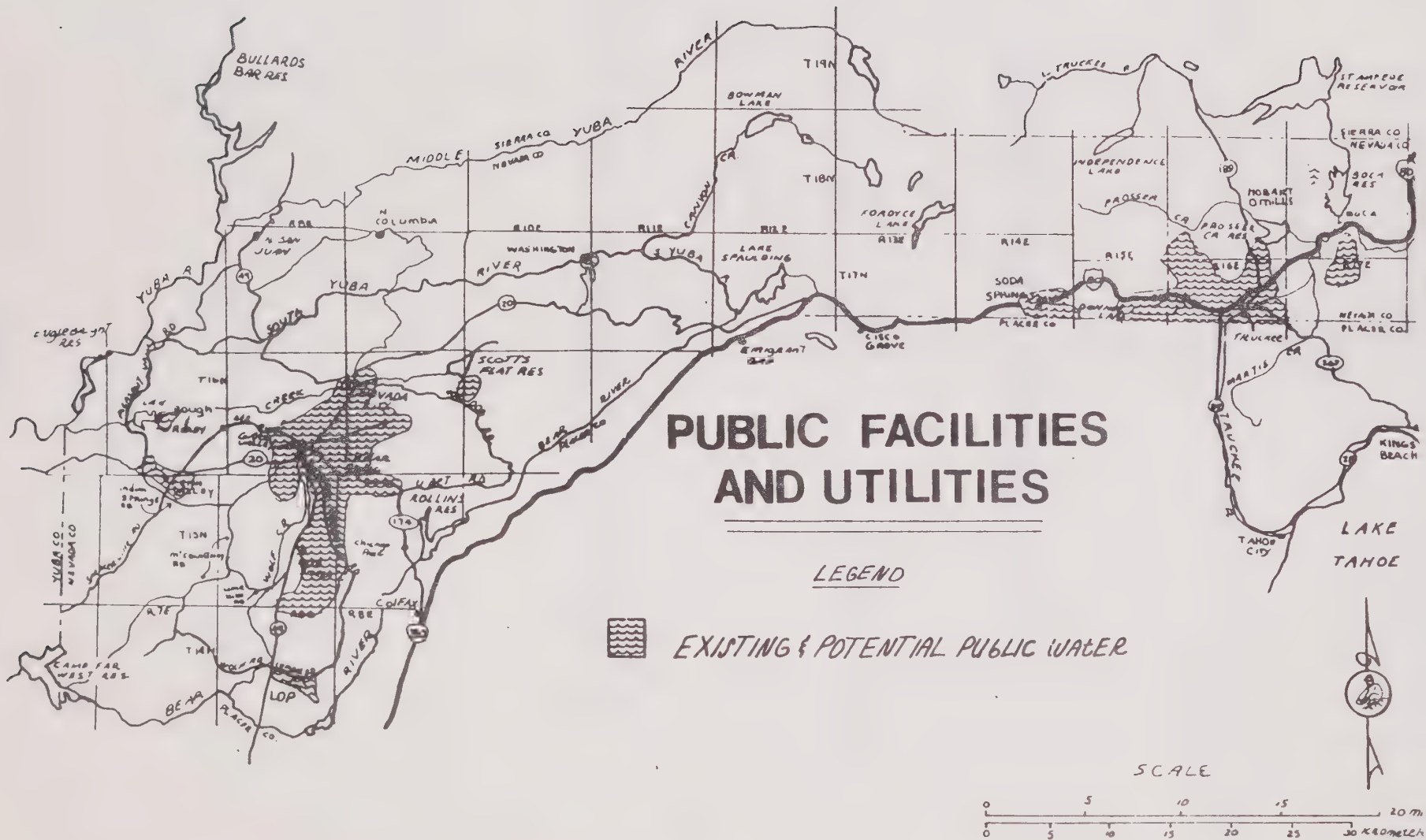
II

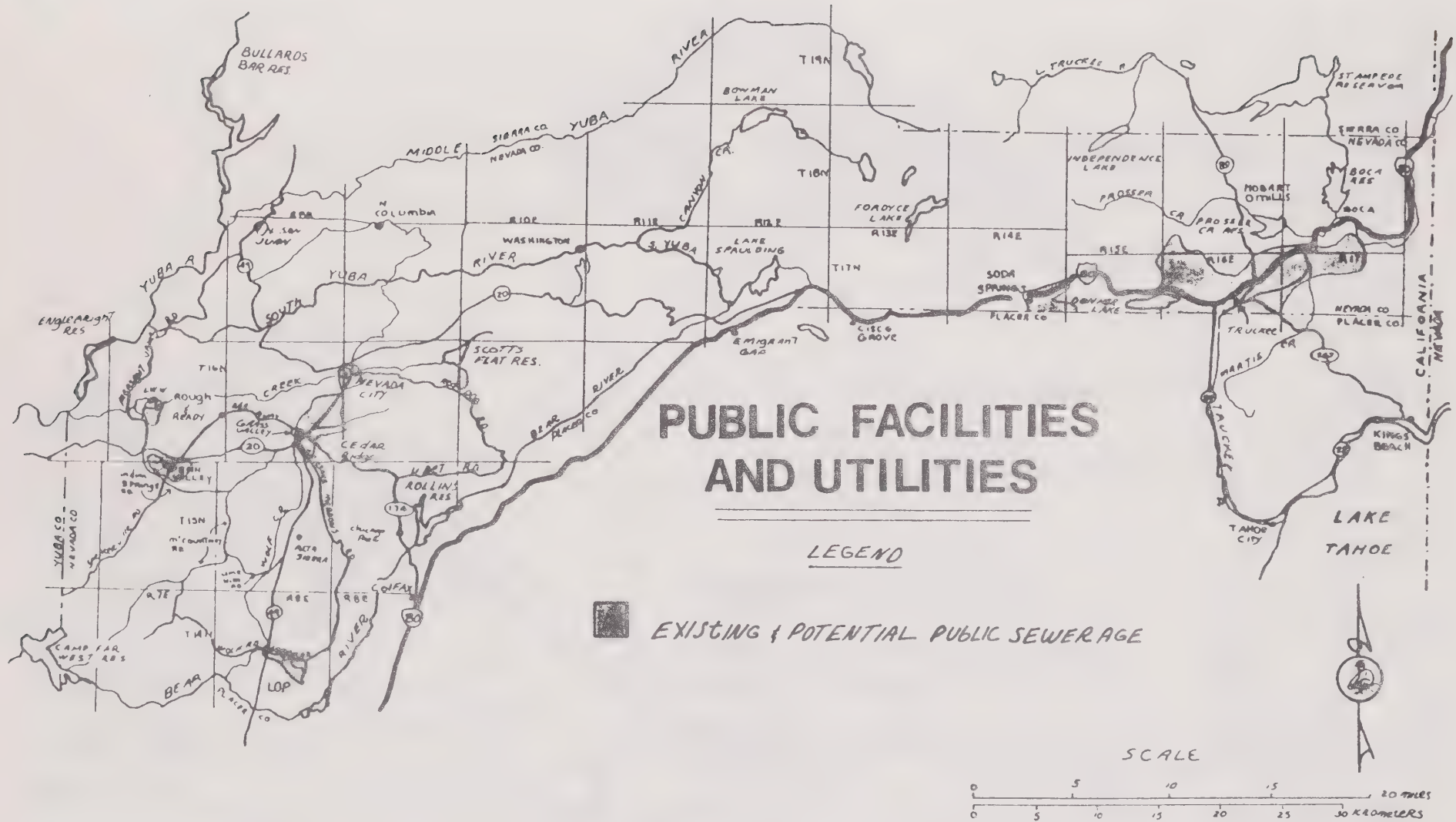
(4-LANES, WITHOUT PARKING)



* RAISED MEDIANS WHEN POSSIBLE. AT A MINIMUM, 200' FROM ALL MAJOR INTERSECTIONS.



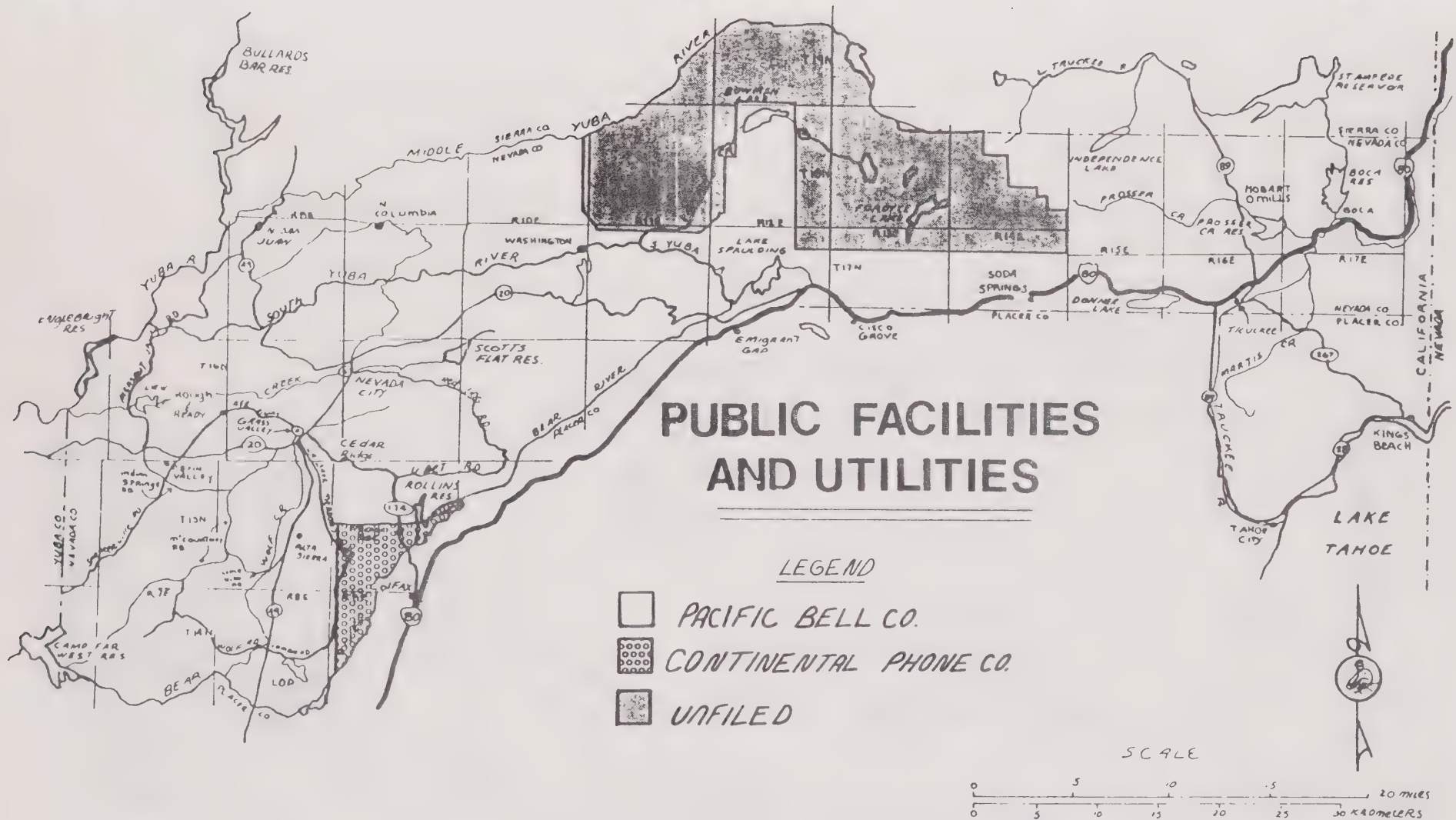




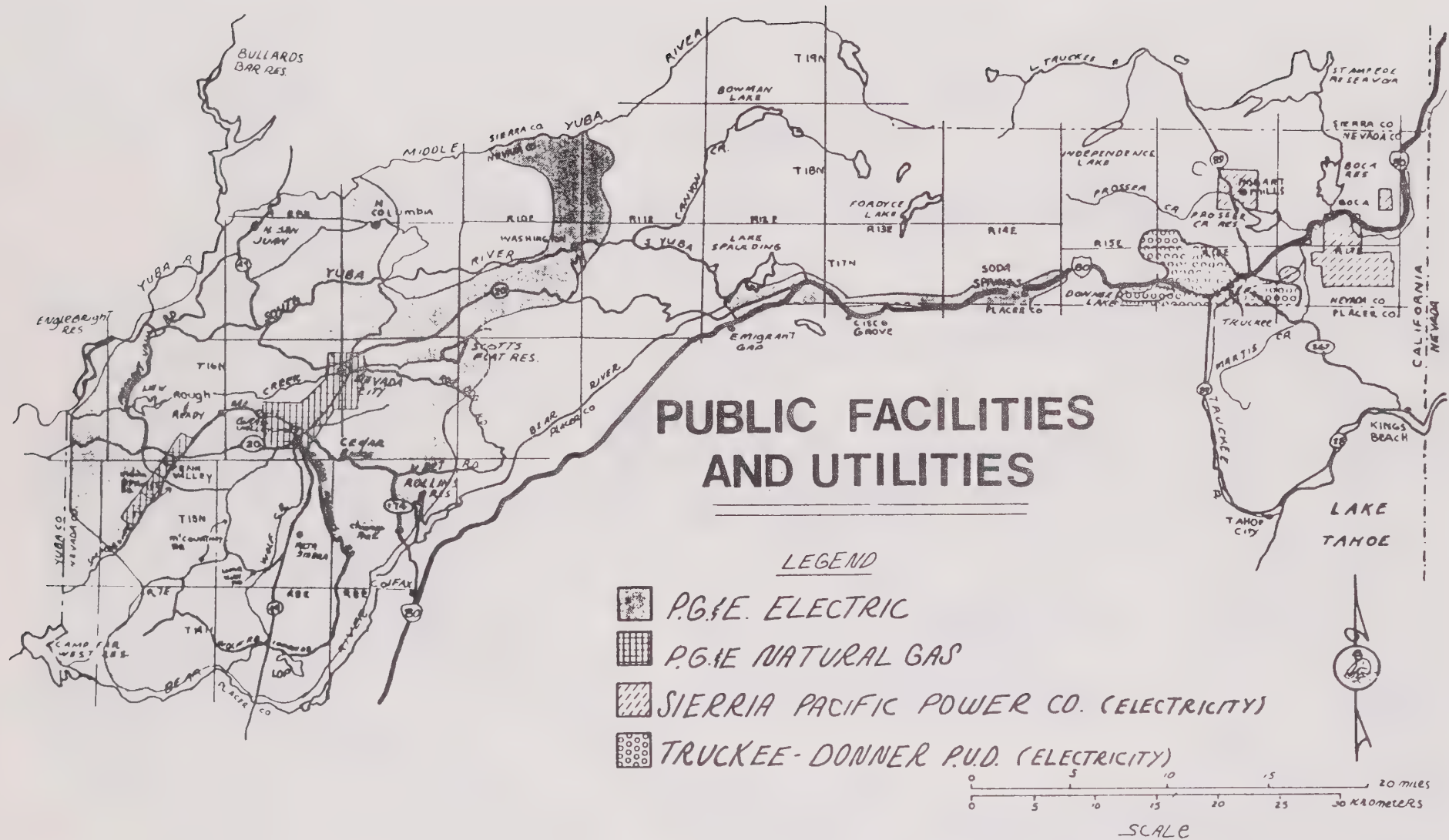
CIRCULATION ELEMENT 1988 BY NEVADA COUNTY PLANNING DEPT.



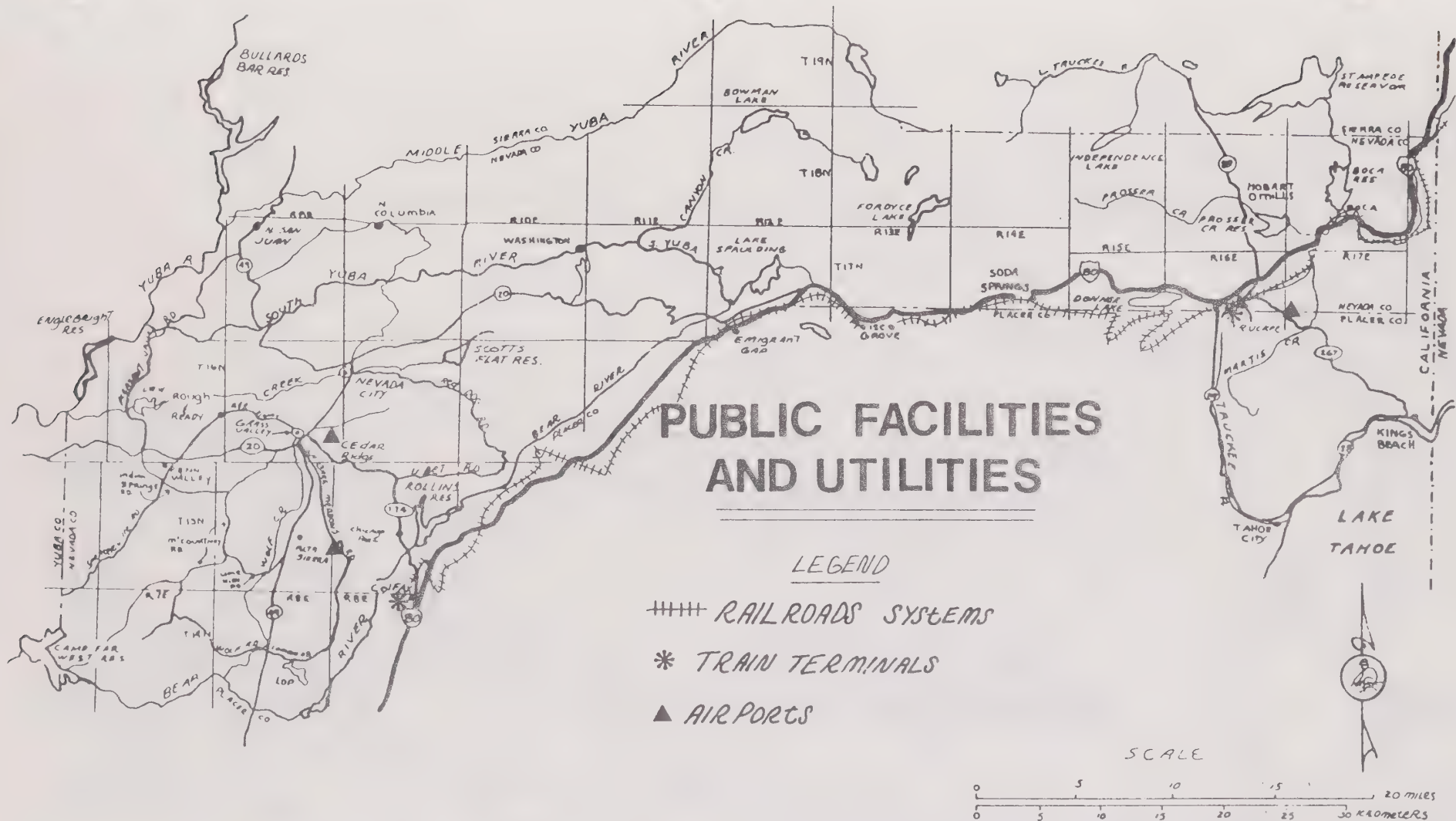
CIRCULATION ELEMENT 1988 BY NEVADA COUNTY PLANNING DEPT.



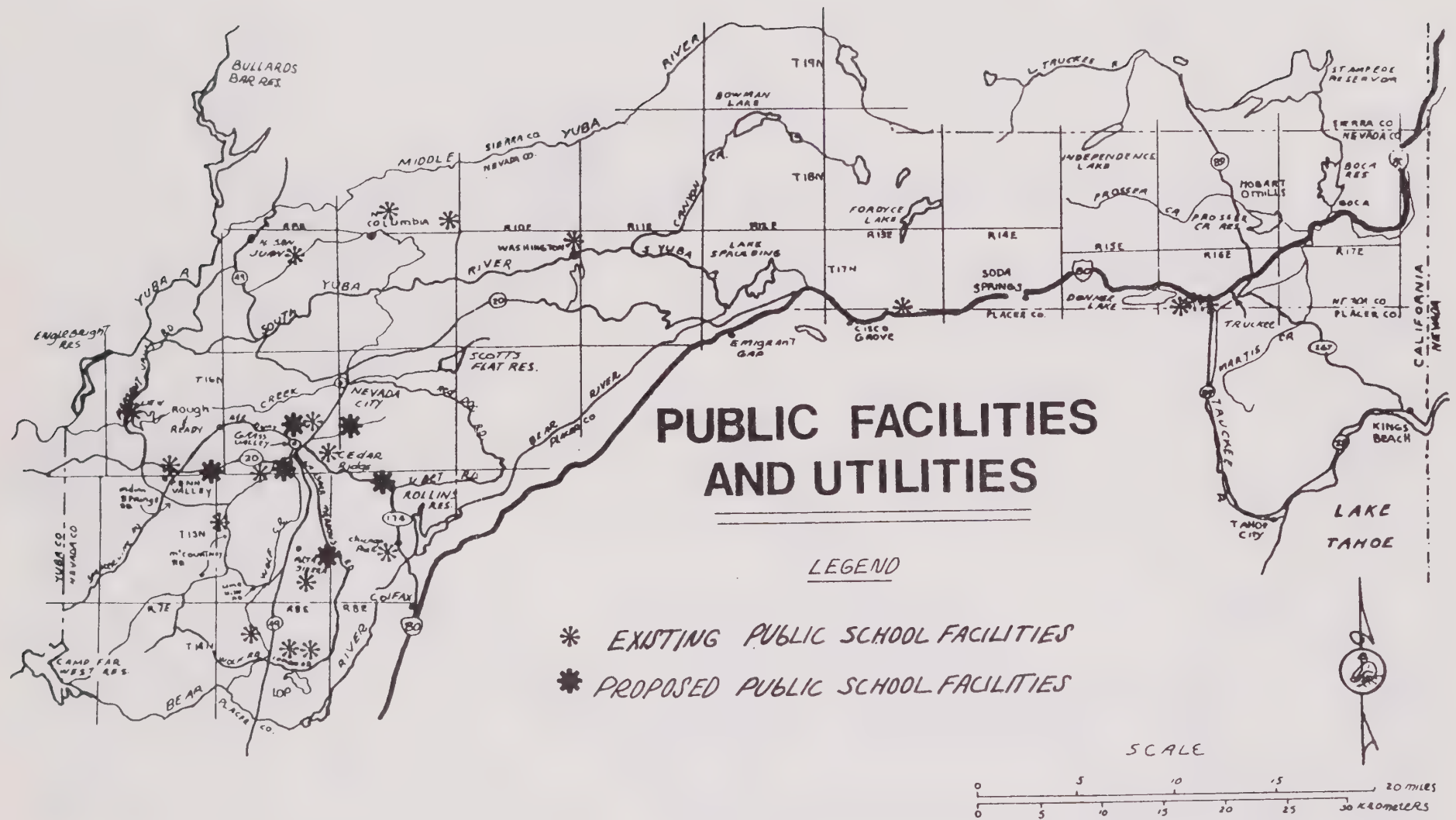
CIRCULATION ELEMENT 1988 BY NEVADA COUNTY PLANNING DEPT.



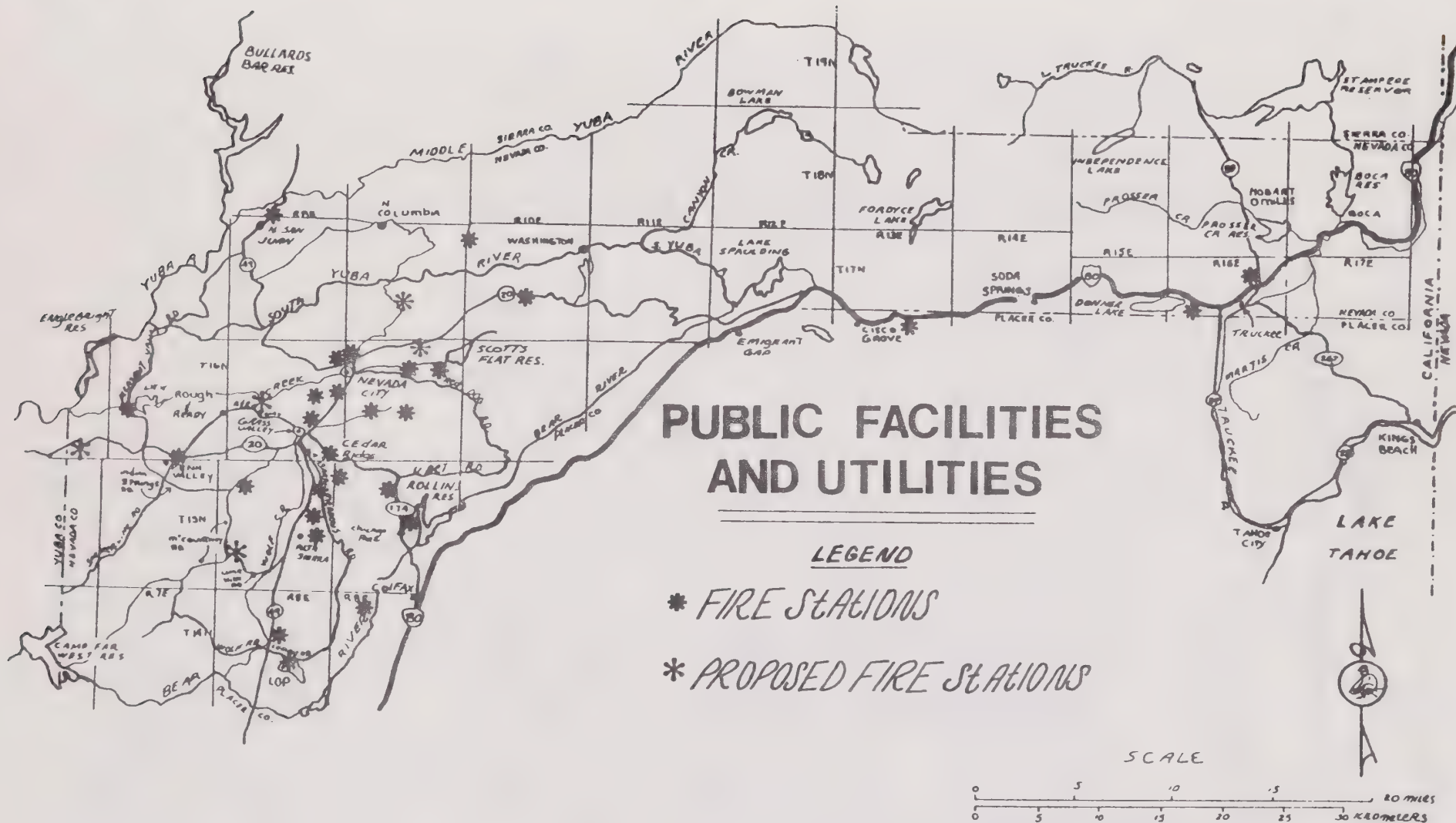
CIRCULATION ELEMENT 1988 BY NEVADA COUNTY PLANNING DEPT.



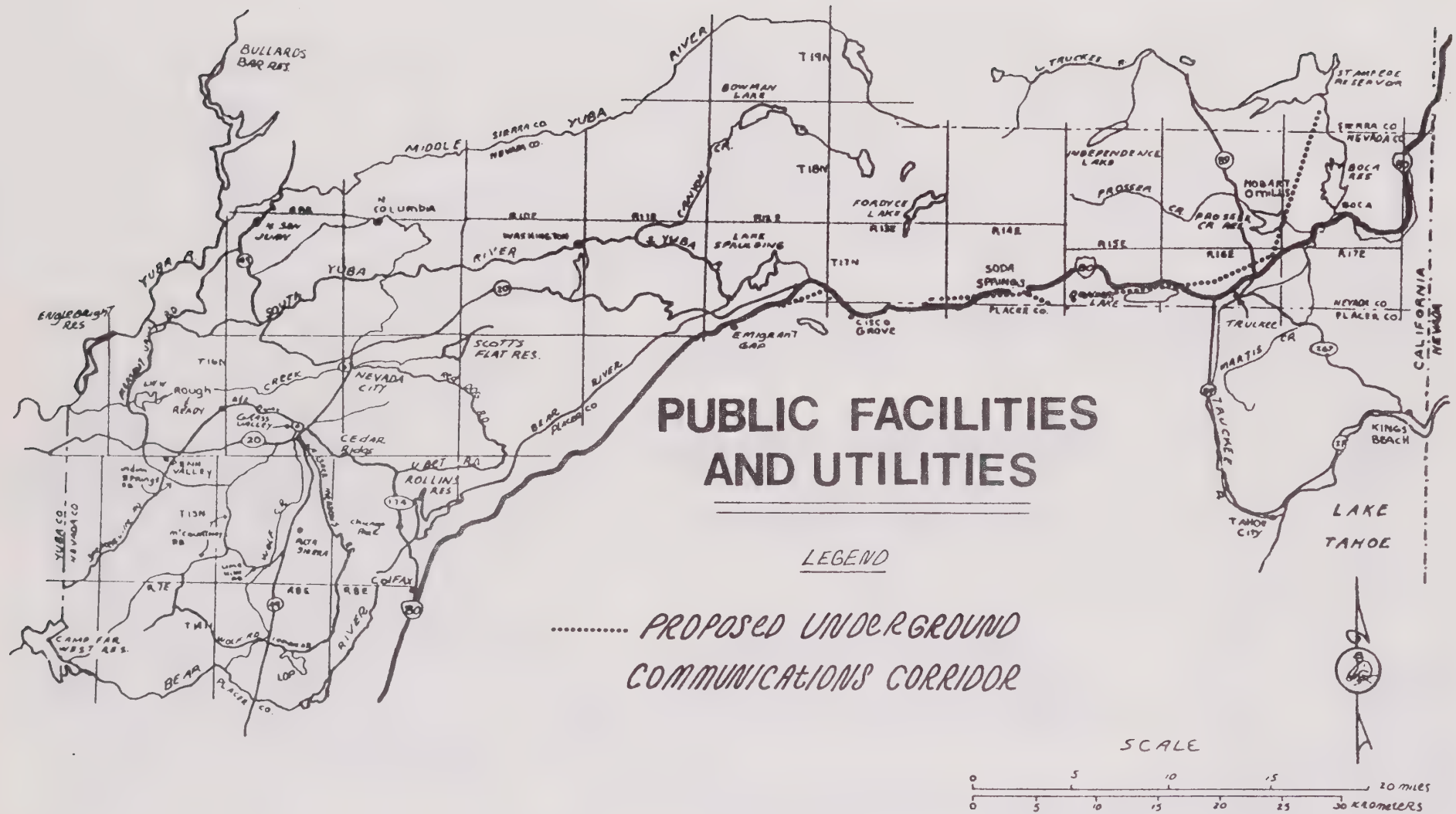
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CIRCULATION ELEMENT 1988 BY NEVADA COUNTY PLANNING DEPT.



CIRCULATION ELEMENT 1988 BY NEVADA COUNTY PLANNING DEPT.

CHAPTER III

1992 Nevada County Housing Element

Introduction

The 1992 Nevada County Housing Element constitutes a comprehensive revision of the Element adopted in 1990. It provides for a broad range of policies and implementation measures designed to address specific local housing needs, based on a thorough analysis of the best available data from a variety of sources. This Element will guide County decision makers while a comprehensive update to all elements of the Nevada County and Martis Valley General Plans is prepared and adopted (currently in progress, with adoption of the updated 2010 Nevada County General Plan expected by March 15, 1994).

Pursuant to State law, the primary function of a Housing Element is the identification of basic housing needs and means to meet those needs. This Housing Element places the comprehensive analyses of housing needs and the actions to meet identified needs in separate sections. This chapter of the Nevada County General Plan contains Goals, Policies, and Quantified Objectives which address specific issues required by the State, as well as local housing issues. The purpose of each policy statement is identified, along with specific action(s), funding source, responsible agency, and time frame required for policy implementation. Where appropriate, a quantified objective has been established for policy implementation through July 1, 1997.

The technical basis for this chapter is contained in Part II of the 1992 Nevada County Housing Element, adopted November 24, 1992 and maintained under separate cover. Background data and analysis for Housing Element Goals, Policies, and Quantified Objectives are reflected in the 1992 Housing Analysis Report, Technical Supplement to the Housing Analysis Report, summary results of the 1992 Housing Conditions Survey, and an analysis of the effectiveness of policies contained in the 1990 Update of the Nevada County Housing Element.

GOALS

The following housing goals provide the basis for the remainder of the Housing Element and are derived from housing goals adopted by the State of California.

- Goal A** Provide for the early attainment of decent housing and a suitable living environment for every Nevada County family.
- Goal B** Work with the private sector in an effort to consider any and all projects that expand housing opportunities and accommodate the housing needs of Nevada Countians of all economic levels.
- Goal C** Provide for the cooperative attitude that must exist to encourage housing affordable to low-to moderate-income families.
- Goal D** Provide for the improvement and development of housing adequate to meet the needs of all economic segments of Nevada County.
- Goal E** Provide for the consideration of economic, environmental, and fiscal factors and County goals set forth in other elements of the General Plan and to cooperate with other local governments and the State in addressing regional housing needs.
- Goal F** Strive, with all powers of the County of Nevada, to facilitate construction, rehabilitation, and conservation of the following maximum number of housing units over the next five-year time frame.

QUANTIFIED OBJECTIVE	NEW CONSTRUCTION	REHAB	CONSERVATION
Very Low-Income	2,821	50	596
Low-Income	1,464	75	594
Moderate-Income	2,098	127	0
Above-Moderate Income	3,165	127	0
Total	9,549	379	1,190

Assumptions:

New Construction: See Housing Analysis Report, Section 4.5.

Rehabilitation:

- The County will continue to receive funds from the State for CDBG, California Rehab Program for Owner-Occupied Housing (CHRP-O) and California Housing Rehab for Renters (CHRP-R).
- The County will receive the maximum amount of funds from the above programs.
- Rehab for moderate and above moderate-income assumes an equal distribution for the total minus very low and low-income.

Conservation: Total number of Section 8 certificates and vouchers will increase by 25 new units per year of which one-half would be for certificates for lower income and one-half for vouchers for very low income.

POLICIES

The following policies will assist in implementing the above goals and are based upon the needs assessment described in the 1992 Housing Analysis Report in Part II of this Element, and additional technical analysis described in the Technical Supplement to the Housing Analysis Report. Where appropriate, each policy articulates its purpose, actions needed to implement the policy, funding source(s), responsible agency(s), time frame for implementation (based on the date of Element adoption), and quantified objective (e.g., total number of units to be rehabilitated, constructed, or assisted during the next five-year period).

Policy 1 To encourage variety and adequate amounts of housing through the following programs:

- A. Mobile homes and factory-built housing built to Federal standards shall be allowed anywhere in the County that conventionally built housing is allowed, provided that such housing is placed on a permanent foundation.
 - i. Purpose: To provide for a variety of housing; to provide for additional low and moderate cost housing.
 - ii. Action: Continue to enforce existing ordinance.
 - iii. Funding: Nevada County General Fund.
 - iv. Responsible Agency: Nevada County Planning Department.
 - v. Time Frame: Ongoing basis.
 - vi. Quantified Objective: 250 new units.
- B. To provide for mobilehomes anywhere in the County that conventional-built housing is allowed through the use of the "MH" Mobilehome Combining District.
 - i. Purpose: To increase the variety of housing; to decrease the cost of housing.
 - ii. Action: Continue to enforce existing ordinance.
 - iii. Funding: Nevada County General Fund.
 - iv. Responsible Agency: Nevada County Planning Department.
 - v. Time Frame: Ongoing basis.
 - vi. Quantifiable Objective: 30 new units.
- C. Provide for up to two single-family residential units on any residential parcel where existing General Plan and Zoning density are not increased. This provision does not limit the construction of self-sufficient housing permitted for senior citizens (Policy 1.D), full-time employees (Policy 1.G), or the disabled (Policy 15).

- D. Provide for senior housing by allowing a "second residential unit" for senior citizens, regardless of General Plan or zoning density. Encourage the construction of this housing type by promoting development by the Nevada County Housing Authority and local housing assistance organizations; providing building plans approved by the Nevada County Building Department; and streamlining the review of permit applications on properties served by public treated water and sewage disposal, and in close proximity to transit, medical, and commercial services (within a designated Community Boundary).
- i. Purposes: To provide for and encourage a variety of housing; to provide for additional low and moderate cost housing.
 - ii. Actions: a) Amend and enforce existing "Second Residential Unit" ordinance; b) provide technical assistance to the Nevada County Housing Authority, Nevada County Housing Development Corporation, Rural California Housing Corporation, Community Spirit Corporation, and other organizations providing senior housing assistance; c) provide approved building plans for senior citizen second residential units to the general public; and d) amend the zoning ordinance qualifications for ministerial projects and adopt a Resolution directing all County Departments to maintain compliance with State-mandated time limits for permit reviews.
 - iii. Funding: Nevada County General Fund.
 - iv. Responsible Agencies: Nevada County Planning Department, Nevada County Department of Housing and Community Services, Nevada County Building Department.
 - v. Time Frames: Amend Zoning Ordinance and provide building plans within eighteen months; enforce existing ordinance and provide technical assistance on an ongoing basis.
 - vi. Quantified Objective: 130 new units.
- E. Encourage the construction of housing for lower-income households by providing (1) a bonus of 50% over density allowed by the General Plan Land Use Map and implementing zoning, and (2) additional concessions and incentives provided by items G through M of Policy 2 of this Housing Element, consistent with all the provisions of Nevada County Land Use Element Policy 48 and California Government Code Section 65915.

- i. Purpose: To assist in the construction of low-cost housing.
 - ii. Action: Provide developers with lower income ranges and lot and house prices for those income ranges, refer potential buyers to developers, provide for a model anti-speculation tool, adopt density bonus implementation standards for project qualification which conform with California Government Code Sections 65915 and 65917, and this Housing Element.
 - iii. Funding: Nevada County General Fund.
 - iv. Responsible Agencies: Nevada County Planning Department, Nevada County Department of Housing and Community Service.
 - v. Time Frame: Zoning Ordinance amendments within 18 months of Housing Element adoption; others on an ongoing basis.
 - vi. Quantified Objective: 250 new units.
- F. Consistent with Land Use Element Policy 38, to allow multi-family housing within all areas of the County shown on the General Plan as a Planned Development for residential, rural or forest use, where the density of the Plan is not exceeded and the housing is accompanied with a tentative map.
- i. Purpose: To increase the variety of housing.
 - ii. Action: Enforce zoning ordinance.
 - iii. Funding: Nevada County General Fund.
 - iv. Responsible Agency: Nevada County Planning Department.
 - v. Time Frame: Ongoing basis.
 - vi. Quantifiable Objective: Unknown number of new multi-family units.
- G. Provide for self-sufficient employee housing above that density allowed by the General Plan where there is exceptional justification of need for full-time employees.
- i. Purpose: To provide for a variety of housing.
 - ii. Action: Continue to enforce existing ordinance.
 - iii. Funding: Nevada County General Fund.
 - iv. Responsible Agency: Nevada County Planning Department.
 - v. Time Frame: Ongoing basis.
 - vi. Quantifiable Objective: 20 new units.
- H. Encourage the construction of housing for senior citizens, as defined in Section 51.2 of the California Civil Code, by providing (1) a bonus of 50% over density allowed by the General Plan Land Use Map and implementing zoning, and (2) additional concessions and incentives provided by items G through M of Policy 2 of this Housing Element, consistent with all the provisions of Nevada County Land Use Element Policy 48 and California Government Code Section 65915.

- i. Purpose: To increase housing opportunities for senior citizens.
- ii. Actions: Revise the Senior Citizen Housing project qualification standards to conform with California Government Code Sections 65915 and 65917, and this Housing Element.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Planning Department.
- v. Time Frame: Zoning Ordinance amendment within 18 months of Housing Element adoption: implementation on an ongoing basis.
- vi. Quantifiable Objective: Unknown number of new single- and multiple-family senior citizens units.

Policy 2 To decrease those governmental constraints associated with processing housing development without compromising other General Plan policy, through the following actions:

- A. Encourage the use of specific plans consistent with Government Code Section 65451. Such plans will reduce the cost of housing development by reducing the uncertainty associated with the development review process.
- B. Encourage the use of master environmental assessments consistent with California Environmental Quality Act Guidelines Section 15169. Such assessments will reduce the cost of housing development by reducing the uncertainty associated with the development review process and by simplifying the environmental review process.
- C. Continue the function of the Nevada County Planning Department as the County's "Permit Information Center". This center will facilitate the one-stop permit approval process that will reduce the uncertainty and costs associated with said process.
- D. Continue the function of the Nevada County Planning Director as the County's Zoning Administrator. Said Administrator shall hear area variances and "minor" use permits and site plans. Such a process shall reduce the time of permit processing for the above items as well as those development applications heard by the Planning Commission. This in turn, shall also reduce the County's application fee.
- E. Continue the function of the Parcel Map Review Committee made up of various County department representatives to hear all minor land divisions. Such a process shall reduce the processing time of said land divisions and thus reduce the potential cost of development. This in turn, shall also reduce the County's application fee.

- F. To make available residential building plans approved by the Nevada County Building Department providing for affordable housing.
- G. Exempt all portions of construction projects that provide housing for lower-income and senior citizen households from the architectural design standards of the "D" Design, "SC" Scenic Corridor, and "HP" Historic Preservation Combining Districts. This exemption is provided as an incentive for all qualifying construction projects, as well as those requesting a density bonus pursuant to Policy 1 of this Housing Element and California Government Code Section 65915.
- H. Reduce the proportional open space retention standards of the County for all portions of construction projects that provide housing for lower-income and senior citizen households by a ratio equal to the number of affordable housing units to total housing units within a given project, provided some form of outdoor recreation is included in the project. This reduction is provided as an incentive for all qualifying construction projects, as well as those requesting a density bonus pursuant to Policy 1 of this Housing Element and California Government Code Section 65915.
- I. Parking lot standards for guest parking for portions of construction projects that provide housing for lower-income and senior citizen households shall be waived by a ratio equal to the number of affordable units to total units within a given project. This standard is provided as an incentive for all qualifying construction projects, as well as those requesting a density bonus pursuant to Policy 1 of this Housing Element and California Government Code Section 65915.
- J. Reduce the proportional site and parking lot landscaping standards of the County for all portions of construction projects that provide housing for lower-income and senior citizen households by a ratio equal to the number of affordable housing units to total housing units within a given project, not to exceed a 50% reduction. This reduction is provided as an incentive for all qualifying construction projects, as well as those requesting a density bonus pursuant to Policy 1 of this Housing Element and California Government Code Section 65915.
- K. Establish site and building setbacks for construction projects that provide housing for lower-income and senior citizen households that do not exceed the Fire Safe Standards required by the State Department of Forestry. This measure is provided as an incentive for all qualifying construction projects, as well as those requesting a density bonus pursuant to Policy 1 of this Housing Element and California Government Code Section 65915.

- L. Exempt all construction projects that provide housing for lower-income and senior citizen households from building height limits unless required to comply with airport height restriction areas or fire district limitations. This exemption is provided as an incentive for all qualifying construction projects, as well as those requesting a density bonus pursuant to Policy 1 of this Housing Element and California Government Code Section 65915.
- M. Provide for the use of shared infrastructure improvements, where allowed by State law and where public health, welfare and safety are fully protected, for construction projects that provide housing for lower-income and senior citizen households. This measure is dependent upon assignment of responsibility for operation and maintenance of improvements, and is provided as an incentive for all qualifying construction projects, as well as those requesting a density bonus pursuant to Policy 1 of this Housing Element and California Government Code Section 659.15.
- N. Reduce by 50% all County permit fees for projects that develop housing for lower-income and senior citizen households, housing for the disabled, and second residential unit housing. This waiver is provided as an incentive for all qualifying development projects, as well as those requesting a density bonus pursuant to Policy 1 of this Housing Element and California Government Code Section 65915.

For projects that qualify for the 50% fee reduction, an additional 5% reduction of all County permit fees may be allowed, subject to discretionary approval, for projects that include substantial innovation in infrastructure design and construction.

- O. Provide twice the density bonus provided by Government Code Sections 65915 and 65917 for qualifying projects that develop housing for lower-income and senior citizen households.
- P. Reduce the minimum building site size for lots designated USF from 10,000 square feet to 7,500 square feet. There shall be no minimum building site size requirements for multi-family housing projects upon lands designated UHD and UMD.
- Q. Waive all County limitations on lot coverage for lower-income and senior citizen multi-family housing projects.
- R. Streamline the review of multi-family housing projects of up to and including, twenty-four (24) units by consideration of such projects as ministerial. Process all other permits for production of affordable housing within time limits specified by the Permit Streamlining Act.

- S. All subdivision within the UHD, UMD, USF, and RS designations shall have a mandatory density bonus of 10% (applied to the number of building sites in the proposed project and rounding-up any fraction of a dwelling unit to one additional unit). Bonus parcels or dwelling units shall be made available only to lower-income or senior citizen households. The County shall offer other incentives, as provided in this Housing Element, to ensure that these projects are economically feasible. This policy shall be implemented through the parcel and tentative map review process, and monitored by the Nevada County Housing Authority.

The following applies to all of Policy 2:

- i. Purpose: To decrease the cost of housing, reduce governmental constraints upon production of affordable housing, and increase the availability of low-cost land for the production of affordable housing.
- ii. Action: Items A,B,C,D and E: Enforce existing ordinance. Item F: provide approved building plans for affordable single-family housing to the general public. Items G, H, I, J, K, L, M, N, O, and Q: amend the zoning ordinance standards for architectural design, proportional open space retention, parking lot spaces, site and parking lot landscaping, site and building setbacks, maximum building height, infrastructure improvements, permit and impact fees, and lot coverage. Item P: amend General Plan and zoning ordinance standards for minimum building site size. Item R: amend the zoning ordinance qualifications for ministerial projects and adopt a Resolution directing all County Departments to maintain compliance with State-mandated time limits for permit reviews. Item S: amend zoning ordinance standards for density bonus and subdivision ordinance standards for map design and approval.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agencies: Items A,B,C,D,E,G,H,I,J,K,L, M,N,O,P,Q and R: Nevada County Planning Department. Item F: Nevada County Building Department. Item S: Nevada County Planning Department and Nevada County Department of Transportation.
- v. Time Frames: Items A,B,C,D and E: Ongoing basis. Item F,G,H,I,J,K,L,M,N,O,P,Q, and R: Within eighteen months.
- vi. Quantifiable Objectives: Items A,B,C,F,G,H,I,J,K,L,M,N,O,P, Q, and R: unknown number of units. Item D: 44 new units. Item E: 720 new units. Item S: 134 new units.

Policy 3 **Maintain active involvement in Federal and State housing grant and loan programs. On an annual basis, the County shall apply for such grants or loans unless other overriding concerns dictate otherwise. Emphasis shall be placed on providing loans to the elderly and low-income families for housing rehabilitation and/or assistance.**

- A. To continue to strongly support the current housing weatherization programs within Nevada County.
 - i. Purpose: To improve the quality of housing for low-income households.
 - ii. Action: Continue County administration of the LIHEAP and DOE Weatherization Programs.
 - iii. Funding: State Department of Economic Opportunity.
 - iv. Responsible Agency: Nevada County Department of Housing and Community Service.
 - v. Time Frame: Ongoing Basis.
 - vi. Quantified Objective: 940 households.
- B. To continue to strongly support the current Energy Crisis Intervention Program within Nevada County.
 - i. Purpose: To provide financial assistance to low-income households for housing energy costs.
 - ii. Action: Continue County administration of the Energy Crisis Intervention Program.
 - iii. Funding: State Department of Economic Opportunity.
 - iv. Responsible Agency: Nevada County Department of Housing and Community Services.
 - v. Time Frame: Ongoing basis.
 - vi. Quantified Objective: 2260 households.
- C. To continue to apply for funding through Federal and/or State grant and loan programs.
 - i. Purpose: To provide low- or no-cost funding for housing rehabilitation and extension of utilities/services to low-income households.
 - ii. Action: Apply for and administer grants and loans.
 - iii. Funding: Nevada County General Fund.
 - iv. Responsible Agency: Nevada County Department of Housing and Community Services.
 - v. Time Frame: Ongoing basis.
 - vi. Quantified Objective: Unknown.

Policy 4 To review all existing and future building codes to ensure the maintenance of those standards that reasonably provide for the public health, welfare, safety and energy efficiency, and to eliminate those standards that do not accomplish said goals. Community input on building standards shall be solicited to ensure public involvement and consideration of innovative ideas.

- i. Purpose: To decrease the cost of housing.
- ii. Action: Review existing and future building codes.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Building Department.
- v. Time Frame: Ongoing basis.

Policy 5 To provide for the maintenance and improvement of existing housing through the enforcement of all building codes.

- i. Purpose: To maintain and improve the quality of existing housing.
- ii. Action: Continue to enforce existing ordinance.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Building Department.
- v. Time Frame: Ongoing basis.
- vi. Quantifiable Objective: Unknown number of units.

Policy 6 To encourage the innovative design of all land divisions that assist in the development of low- and moderate-cost housing and energy efficient housing (i.e., planned developments, clustered parcels, south-facing parcels, etc).

- i. Purpose: To decrease the cost of housing.
- ii. Action: Work with developers during the subdivision approval process, encourage those techniques that provide for maintenance, preservation, and use of open space as a part of a planned development.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Planning Department and Parcel Map Review Committee.
- v. Time Frame: Ongoing basis.

Policy 7A Consistent with numerous Land Use Element goals, objectives, and policies, provide for the monitoring of all basic land uses so that a coordinated balance is maintained between employment and housing opportunities; said monitoring shall be made a part of the three-year General Plan update (Land Use Element Policy 4).

- i. Purpose: To maintain an adequate housing supply.
- ii. Action: Monitor existing land uses.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Planning Department.
- v. Time Frame: Once every three years.

Policy 7B To ensure the achievement of quantified objectives contained in this Element, provide for annual monitoring of Goal and Policy implementation. Substantial non-attainment or ineffective implementation of this Element shall be determined by comparing the actual number of housing units approved, constructed, rehabilitated, or conserved during each year of the five-year period with a yearly 20% amortization of all quantified objectives.

- i. Purpose: To ensure achievement of adopted quantified objectives.
- ii. Action: Monitor assistance, approval, and construction of housing units.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Department of Housing and Community Services.
- v. Time Frame: Annual.

Policy 8 To provide that all areas of the County shown as Urban High Density and Urban Medium Density on the General Plan land use map can be appropriate sites for subsidized housing. Nothing in this policy should be construed to imply that subsidized housing cannot occur in other locations nor that non-subsidized housing cannot occur in the above-mentioned land use designations.

- i. Purpose: To assist developers in the most appropriate location for subsidized housing.
- ii. Action: To locate the most appropriate sites for subsidized housing.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Planning Department.
- v. Time Frame: Ongoing basis.

Policy 9 To recognize, encourage, and assist all private non-profit and for-profit organizations in the development, rehabilitation, and conservation of affordable housing within Nevada County.

- i. Purpose: To assist the Nevada County Housing Development Corporation, Rural California Housing Corporation, Community Spirit Corporation, Emergency Assistance Coalition, and other private non-profit and for-profit organizations involved in addressing affordable housing issues.
- ii. Action: a) Pursuit of Federal and/or State grants for housing development, rehabilitation, and conservation. b) Where feasible, direct monetary assistance for agency support and housing assistance. c) Provide technical assistance from County departments utilized by said organizations.
- iii. Funding: Nevada County General Fund and Federal and State grants.
- iv. Responsible Agency: Nevada County Department of Housing and Community Services.
- v. Time Frame: Ongoing basis.

- Policy 10** Designate the Nevada County Department of Housing and Community Services as the County's housing information center. This Center can assist developers in providing low- and moderate-cost housing projects and provide information on various housing loan and grant programs available to the elderly and low-income families.
- i. Purpose: To provide a central location for housing information.
 - ii. Action: Provide housing information.
 - iv. Responsible Agency: Nevada County Department of Housing and Community Services.
 - v. Time Frame: Within one year.
- Policy 11** Encourage private developers to apply for Federal and State housing loans and grants. Where interest is expressed, the use of such programs shall be encouraged during the development review process.
- i. Purpose: To provide for additional low- and moderate-cost housing.
 - ii. Action: Informing private developers of various housing programs.
 - iii. Funding: Nevada County General Fund.
 - iv. Responsible Agency: Nevada County Department of Housing and Community Services.
 - v. Time Frame: Immediately.
- Policy 12** Encourage the use of the Section "8" rental assistance housing program.
- i. Purpose: To provide cost assistance to low-income renters.
 - ii. Action: Formal notification of need to the State Department of Housing and Community Development.
 - iii. Funding: Nevada County General Fund for administrative purposes.
 - iv. Responsible Agency: Nevada County Department of Housing and Community Services.
 - v. Time Frame: Ongoing basis.
 - vi. Quantifiable Objective: 320 units receiving cost assistance.
- Policy 13** To consider the potential for the development of low- and moderate-cost housing on publicly-owned surplus land.
- i. Purpose: To provide for additional low- and moderate-cost housing.
 - ii. Action: Encourage various profit and non-profit entities to explore the potential for the development of said land by working with said entities and appropriate Federal and State government agencies.
 - iii. Funding: Nevada County General Fund.
 - iv. Responsible Agency: Nevada County Department of Housing and Community Services.

Policy 14 To strongly discourage any form of discrimination in housing.

- i. Purpose: Discourage housing discrimination.
- ii. Actions: Resolution passed by the Board of Supervisors directing all County department heads to direct all local housing discrimination complaints to the U.S. Department of Fair Employment and Housing and the State Department of Fair Employment and Housing. An information dissemination program shall be implemented providing educational material on government services provided to the public. Said program shall include the posting of such information in public places and advertising in the local media.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Department of Housing and Community Services.
- v. Time Frame: Within three months.

Policy 15 To provide housing for the disabled by allowing a "second residential unit" regardless of General Plan density or zoning minimum parcel size.

- i. Purpose: To provide affordable housing for disabled persons.
- ii. Action: Implement zoning ordinance.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Planning Department.
- v. Time Frame: Ongoing basis.
- vi. Quantified Objective: 120 new units.

Policy 16 To provide a density bonus for multiple-family housing for disabled persons within the Urban Medium and Urban High Density land use designations if it can be demonstrated that the density bonus will not result in greater impacts than would result from a conventional multiple-family housing project.

- i. Purpose: To provide affordable housing for disabled persons.
- ii. Action: Amend zoning ordinance to include disabled persons in the provisions permitting senior citizens apartments/senior independent living center, including the provisions for minimum accessibility standards.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Planning Department.
- v. Time Frame: Within eighteen months.
- vi. Quantified Objective: Unknown number of new units.

Policy 17 To encourage an adequate supply of emergency shelter housing, or housing that provides an immediate short-term solution to homelessness, by allowing such housing within the following General Plan land use map designations:

Regional Commercial
Neighborhood Commercial
Highway Commercial
Office-Professional
Urban High Density
Urban Medium Density
High Density Single Family
Public

- i. Purpose: To assist in the provision of an adequate supply of emergency shelter housing.
- ii. Actions: Amend the zoning ordinance to allow such housing as a permitted use for up to six persons per unit and as a conditionally-allowed use for more than six persons per unit for those districts consistent with the stated map designations.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Planning Department.
- v. Time Frame: Within twelve months of Housing Element adoption.
- vi. Quantified Objective: Unknown number of new units.

Policy 18 To encourage an adequate supply of transitional housing, or housing intended to remove the basis for homelessness through counseling programs and integration into other social services to assist in the transition to self-sufficiency, by allowing such housing within the following General Plan land use map designations:

Urban High Density
Urban Medium Density
High Density Single Family
Urban Single Family Density
Residential
Estate
Public

- i. Purpose: To assist in the provision of an adequate supply of transitional housing.
- ii. Actions: Amend the zoning ordinance to allow such housing as a permitted use for up to six persons per unit and as a conditionally-allowed use for more than six persons per unit for those districts consistent with the stated map designations.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Planning Department.
- v. Time Frame: Within eighteen months.
- vi. Quantified Objective: Unknown number of new units.

Policy 19 To provide for the use of recreational vehicles as temporary residences within the following General Plan land use map designations:

Rural
Low Density Rural
Forest

Use of recreational vehicles during the construction of a permanent residence may be allowed throughout the County.

- i. Purpose: To assist property owners in establishing temporary residences prior to, and during, construction of a permanent single-family home.
- ii. Action: Amend Zoning Ordinance.
- iii. Funding: Nevada County General Fund.
- iv. Time Frame: Within eighteen months.
- v. Responsible Agency: Nevada County Planning Department.
- vi. Quantified Objective: Unknown number of new units.

Policy 20 To fund and operate the Nevada County Housing Authority to effectively address the affordable housing issue in Nevada County. If practicable, encourage transformation of the Housing Authority into a Joint Authority with the two incorporated cities within Nevada County. During the five-year planning period, the Housing Authority shall facilitate the construction of at least one self-help or other type of housing project affordable to lower-income households.

- i. Purpose: To provide the organization necessary to implement existing programs and create and implement new programs to effectively address the affordable housing issue.
- ii. Action: Continued funding of the Nevada County Housing Authority.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Department of Administration.
- v. Time Frame: Ongoing basis

Policy 21 Ensure an adequate supply of lands designated for Urban High Density (UHD) and Urban Medium Density (UMD) to accommodate the County's regional share of lower-income housing needs. While the County's regional share need allocation for very low- and low-income households is 4,285 units over the next five years, existing sites will provide 3,024 units (a 3.5 year supply). The comprehensive update of the Nevada County General Plan will identify sites adequate to provide not less than an additional 1,261 units (approximately 180 acres for UHD development at the minimum density required by Policy 22). Appropriate designations on the Nevada County General Plan Land Use Map, and all revisions to zoning ordinances and district maps necessary to implement the new land use designations, shall be approved as part of the updated 2010 Nevada County General Plan scheduled for adoption by March 15, 1994. The following criteria shall be used to identify and designate lands necessary to accommodate the County's regional share of affordable housing:

- a) Locate UHD and UMD land-use designations, both dependent upon treated public water, within a given purveyor's service area and within close proximity to the existing delivery system;
- b) Locate UHD and UMD land-use designations, both dependent upon connection to large-scale public sewage treatment and disposal, within a public service area and within close proximity to the existing sewage conveyance system;
- c) Locate UHD and UMD land-use designations, which both provide for urban-density residential development, within the unincorporated fringe areas near Grass Valley and Nevada City, and within other unincorporated areas with available urban infrastructure capacity (e.g. Truckee, Penn Valley, etc.).
 - i. Purposes: To accommodate production of affordable housing by designating urban-level residential density within urban fringe and other areas served by existing infrastructure; to reduce constraints upon production of affordable housing due to limited public water and/or sewage treatment services.
 - ii. Actions: Amend the General Plan Land Use Maps and implementing zoning district maps.
 - iii. Funding: Nevada County General Fund.
 - iv. Responsible Agency: Nevada County Planning Department.
 - v. Time Frame: Within eighteen months.
 - vi. Quantified Objective: 1,261 new units.

Policy 22 Establish minimum density standards of fifteen dwelling units per acre for lands designated as Urban High Density (UHD), and six dwelling units per acre for lands designated as Urban Medium Density (UMD).

- i. Purpose: To ensure development at the highest practical residential densities and construction of affordable housing units.
- ii. Action: Amend the build-out range allowed by the UHD and UMD General Plan land use designations.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Planning Department.
- v. Time Frame: Within eighteen months.
- vi. Quantified Objective: 4,285 units.

Policy 23 Maximize utilization of projected residential density on lands designated as Urban High Density (UHD) and Urban Medium Density (UMD), after considering environmental and public service constraints upon, and County development standards for each proposed project. Where legally and fiscally possible, the County shall make every effort possible to mitigate constraints upon multi-family development projects rather than under-utilize planned build-out.

- i. Purpose: To ensure development of multi-family residential projects at the highest practical densities, maximize residential utilization of public services, and ensure construction of affordable housing units.
- ii. Action: Revise Zoning Ordinance provisions for single-family development in multi-family zoning districts and include environmental and public service criteria for determining the development potential of every multi-family project site.
- iii. Funding: Nevada County General Fund.
- iv. Responsible Agency: Nevada County Planning Department.
- v. Time Frame: Within eighteen months.
- vi. Quantified Objective: 4,285 new units.

CHAPTER IV

CONSERVATION-OPEN SPACE ELEMENT

INTRODUCTION*

The State-mandated Conservation Element is concerned with the conservation, development, and utilization of all natural resources. The State-mandated Open Space Element is concerned with the management of generally unimproved land used for: 1) preservation and production of natural resources, 2) outdoor recreation, 3) public health and safety. These two elements are very closely related, and therefore this element shall serve the function of both.

Nevada County has an abundance of natural and man-made resources and open space lands. Prime forest lands, important watershed areas, an abundance of scenic vistas, wildlife areas, and relatively clean air, all help to make Nevada County both a pleasant place to live and a resource area of State-wide concern. The primary goal of both the private and public sectors must be to properly manage these resources. This involves different management techniques for different resources. Certain renewable resources (i.e., timber) should be harvested but not to the detriment of other resources nor to the point where they cannot renew themselves. Certain non-renewable resources must be preserved, or primarily left alone (i.e., soil, while others should be harvested where adequate environmental precautions are taken (i.e., minerals).



THE COLUMBIA BLACK-TAILED DEER, CALIFORNIA MULE DEER, AND ROCKY MOUNTAIN MULE DEER CAN BE FOUND IN SELECTED AREAS OF THE COUNTY.

One of the most critical problems facing Nevada County (and the State and Nation) is the impact of various land uses upon these resources. Primary

*The majority of this section is a summary of the Conservation-Open Space Element Background Data Report, a copy of which is contained in the Nevada County General Plan Part III: Technical Data.



and secondary housing, recreational land uses, and the public facilities needed to provide services to these land uses, all adversely affect the existing quantity and quality of our resources as well as the ability of these resources to be properly managed and utilized. The policies contained in this Element are intended to minimize the adverse impacts of these land uses upon important resource areas.

The geologic history of Nevada County is both complex and fascinating. The County has functioned as a sediment-laden ocean floor (over 200 million years ago), faced a series of volcanic eruptions (over 60 million years ago), the remnants of which include Mount Lola and Castle Peak, and suffered through a glaciation period (over 2 million years ago) that helped to form such lakes as Donner Lake and Independence Lake. Such geologic activity has led to an area generally rich in mineral deposits. Beginning in the 1850's, gold mining was the dominant economic activity. Gold mining exists today and will continue to be a part of the mineral extraction process in the County, but to a much less degree than in years past. Other minerals with potential for mining include chromite, barite, copper, and marble.

The major mineral resource within the County at the present time is the mining of sand, gravel, and crushed stone for the construction industry. Considerable quantities exist (particularly below the old hydraulic mining areas), and it is generally expected that the mining of this resource will continue to play an increasingly important role in the County's economy.

Soils of Nevada County vary widely throughout the County, but generally can be divided between those found in the foothill area and those found in the mountainous area. Soils of the foothill area are generally gently-sloping to steep; rock outcrops are common. The soils are generally shallow or only moderately deep. Most of these soils are well-drained, but many have a high clay content (particularly in the subsoil) and therefore have poor permeability. Soils of the mountainous area are generally undulating to very steep; rock outcrops and stones are common. The soils are generally moderately deep to very deep, but in some areas they are shallow. Most of these soils are well-drained, but some also have poor permeability.

Proper conservation of soil involves minimizing the potential for soil erosion from various land uses. Within Nevada County, timber harvesting, land divisions, dwelling construction, and most importantly, the roads to serve these activities, all increase the potential for soil erosion. Studies of the recent past have shown that as much as 37 percent of the streams in the County are adversely affected by such development. Policies within this Element speak to means of minimizing future sedimentation problems in the County.

Surface water in the County is made up of three separate watersheds: the Truckee River basin in the eastern portion of the County and the Yuba River basin and Bear River basin in the western portion. The Truckee River drains approximately 170 square miles within the County and runs from Lake Tahoe through the County to Pyramid Lake in the State of Nevada. It is an extremely important source of water to Nevada and must remain adequate in terms of quantity and quality for that State's needs. The Middle and South Forks of the Yuba River drain approximately 430 miles within the County and run from near



the crest of the Sierra Nevadas westerly to Englebright Reservoir. The Bear River drains approximately 277 miles within the County and runs just below Lake Spaulding southwesterly to Camp Far West Reservoir.

Surface water quality in the mountainous areas of the County is generally good, but as elevation decreases, so does water quality. This has to do with the increased impacts upon surface water by man, particularly increased sedimentation and inefficient filtration from septic tank-leaching systems. Surface water quality problems also have to do with public sewerage treatment systems that operate in existing urban areas. The Central Valley Regional Water Quality Control Board has determined that Wolf Creek and Deer Creek below the treatment plant discharge points for the cities of Grass Valley and Nevada City and the Nevada Union High School to be unsafe for domestic use. A solution of this problem probably lies in the upgrading of sewage treatment for each of these plants. A relatively similar situation has existed in the Truckee area; a regional tertiary sewerage treatment facility will hopefully help to solve surface water quality problems for that area.

The occurrence of groundwater in the County is extremely variable. Due to the fact that, like most other counties, Nevada County is generally made up of shallow soils overlaying dense bedrock, no large aquifers (water-holding bodies) exist, and the likelihood of finding adequate groundwater within existing bedrock for domestic or agricultural purposes is extremely variable. Groundwater generally exists within the cracks and fractures of the bedrock, and where no fractures exist, little water exists.

Groundwater quality also varies dramatically. Bacteriological problems can occur where population densities (using septic tank-leaching systems) are too high and/or where lack of adequate soil prohibits proper filtration of sewage effluent. Problems other than bacteriological also exist. In studies conducted by the State it was found that many groundwater wells had high concentrations of iron and low pH (high acid content).

In recent years water conservation has become the concern of both the County and State. The watershed of Nevada County produces vast quantities of water that are important to the rest of northern California and the State of Nevada. Adequate quantities of water for domestic and agricultural use generally exist for the County during years of normal rainfall; however, drought years have shown that water within the County should be efficiently used for its own use and other areas of the surrounding region.

Very little hard data exists as to the air quality of Nevada County. There are no stationary monitoring stations within the County and it is very difficult to quantify any existing or potential air quality problems. There was a mobile unit stationed in Truckee during the summer of 1973, and it determined readings at or above current Federal air pollution standards. The nearest stationary stations exist in Sacramento, Chico, and Lake Tahoe; as well, a station was shut down in Yuba City in the early 1970's. The State Air Resources Board has stated that air quality problems exist both in Sacramento and Lake Tahoe, but the stations in Chico and Yuba City indicate air quality at or above Federal air pollution standards as of the early 1970's. All of the above-mentioned areas are more urban in nature than Nevada County, and it is safe to assume



that air quality is better in this County than in nearby urban areas. Unfortunately, air pollution knows no political boundaries, and air pollution problems in areas outside of the County will continue to play a major role in the level of air quality within the County.

It is well established that where large population increases occur, air quality degradation also occurs. Rapid population growth in Nevada County is well known. It is therefore safe to assume that air quality will decrease within the County as long as population growth continues, primarily as a result of the increase in the use of the automobile. An increase in the use of air pollution control devices should help to minimize this problem.

Primarily due to a variety of climatic conditions and soils, Nevada County also has a wide variety of vegetation and wildlife. At lower elevations climatic conditions are more moderate and dry. Common vegetation includes grassland intermingled with various shrubs (or chaparral) and trees (mostly hardwoods). Wildlife includes a wide variety of mammals, birds, and fish. As the elevation increases to the east, climate conditions become colder and wetter. Vegetation includes numerous types of shrubs and trees (both evergreen and deciduous) and fur-bearing animals become more prominent. At highest elevations, the climate becomes restrictive. Vegetation is limited to the hardiest of shrubs and trees (and in some locations no vegetation will grow) and wildlife is limited to fur-bearing mammals and other animals that can stand the harsh winters.

The numerous habitats that exist in the County provide different kinds of environment for all kinds of flora and fauna, each with their own level of adaptability, or ability to tolerate changes. The most critical factor in conserving all forms of flora and fauna is habitat protection; where habitat is taken away or effectively changed by incompatible land uses (i.e., residential subdivisions, road construction, etc.), flora and fauna do not move to other areas, they simply disappear.

An understanding of those flora and fauna being affected by a changing habitat can be found by determining those that are currently listed as rare or endangered. Within Nevada County the State has listed the American Peregrine Falcon and Southern Bald Eagle as "rare" and the wolverine as "endangered". The U. S. Fish and Wildlife Service has also listed the Lahontan Cutthroat Trout as "threatened". The State also lists a total of ten plants found to be "endangered" and one plant found to be "rare" within the County.

The forests of Nevada County are certainly one of the most obvious and important natural resources to be conserved and managed. It provides timber for one of the County's biggest industries, provides recreation and aesthetic enjoyment, provides habitat for a variety of flora and fauna, and protects our watersheds. In this age of energy conservation, it is becoming increasingly obvious that our nation has only one truly renewable resource: timber. Proper timber management (harvesting on a sustained yield basis) will maximize the efficient use of this resource. Proper management also means limiting the pressures from other incompatible land uses (i.e., residential and recreational uses) that make it increasingly difficult to harvest timber. Policies contained in this Element will help to minimize this problem.



Primary agricultural production in the County is based on grazing. Of lesser importance is the production of fryers and broilers. In selected areas specialty crops (i.e., fruits, vegetables, nuts, etc.) are also productive. In general, however, Nevada County is not an agricultural county generally due to the lack of adequate soils. Currently only about 4,000 acres of the entire County are contracted under the Land Conservation Act. This total is not expected to increase significantly. Future use of much of the existing marginal agricultural lands will be small part-time family-operated farms (so-called "mini-farms").

Energy conservation concerns itself with the efficient use of various sources of energy. In Nevada County primarily electricity, liquid propane, natural gas, and wood are used for heating purposes. The County has adopted high standards for the insulation of all buildings and this will increase the efficient use of the above fuels. Nevada County is very dependent upon the automobile for transportation and is therefore also dependent upon petroleum as a source of energy. Policies contained in this Element and the Land Use Element call for the clustering of communities to minimize the dependence on the automobile and allow public transportation to function more efficiently.

The history of Nevada County provides some of the most interesting history of California. Literally hundreds of archaeological and historical resources have been found by archaeologists, government agencies, and public groups. Dozens of sites within the County are listed in the "National Register of Historic Places", "State Historical Landmark Registration", and "Points of Historical Interest Registration", all of which provide some degree of recognition, and in some cases, protection. Two of the major problems with archaeological and historical preservation is that the majority of sites have not been catalogued or mapped and, even if catalogued, adequate preservation (particularly from vandals) is difficult.

Climatic conditions vary widely from one end of the County to the other and from year to year, season to season. Peak summer temperatures in July average between 95 and 100 degrees, lowest winter temperatures in January average between 35 and 55 degrees. Temperatures have reached a high of 118 degrees near North San Juan and a low of -45 degrees near Boca (one of the coldest places in the State). The growing season (free from freezing temperatures) varies from in excess of 250 days in the western portion of the County (usually from mid-March to November) to as low as 25 days in the eastern portion (usually from mid-June to July). Highest average precipitation of 65 to 70 inches per year occurs at higher elevations and lowest precipitation of 20 to 25 inches occurs in the eastern end of the County. The western portion varies from 30 to 50 inches per year. One year totals near Nevada City have varied from 9 inches to 119½ inches. Snowfall varies from as low as 5 inches in the western portion of the County to 400 inches near the crest of the Sierra Nevadas.

GOALS AND OBJECTIVES:

The policies that follow the goals and objectives in this chapter constitute an open space action program. This program consists of specific programs which Nevada County intends to pursue and carry out in implementing this chapter, pursuant to Public Resources Code Section 65564.



GOAL A:

To ensure the existence of a high quality natural and man-made environment through an action program of policies sensitive to the conservation of natural resources and the environmental impact of all land use decisions.

OBJECTIVE 1: To conserve commercial forest land from incompatible land uses that might restrict its potential for timber management, watershed, wildlife habitat, and limited recreation.

OBJECTIVE 2: To discourage development, particularly land divisions and mining, in those areas that are ecologically sensitive or have pollution problems and to encourage use of ecologically innovative techniques in the development of all land uses.

OBJECTIVE 3: To provide for the high quality and efficient use of all surface and groundwater, consistent with all current State and Federal standards.

OBJECTIVE 4: To provide for a high level of air quality, consistent with current State and Federal standards.

OBJECTIVE 5: To promote the conservation of soil and to minimize the soil erosion from all land uses.

OBJECTIVE 6: To promote the preservation of all important wildlife areas and of all rare and endangered flora and fauna by inventorying and protecting such areas.

OBJECTIVE 7: To promote the proper management of all minerals and mineral areas in the County, and work to minimize the impact of their extraction on nearby residents and the environment in general, including perennial streams, wetland areas, and critical wildlife habitat areas, as well as protect deposits from residential intrusion which will impede mining.

OBJECTIVE 8: To promote and conserve the natural and historic beauty of the County.

OBJECTIVE 9: To promote energy conservation both through land use decisions and the administration of government operations.

OBJECTIVE 10: To promote the conservation of cultural resources, including historical and archaeological sites, buildings, and/or artifacts.



OBJECTIVE 11: To actively encourage the preservation, wise management and use of agricultural lands for the purpose of enhancing agricultural opportunities and protecting productive capabilities.

GOAL B: To actively preserve and enhance existing and potential open space.

OBJECTIVE 1: To develop a program of open space preservation designed to provide open space, particularly near existing urban areas.

OBJECTIVE 2: To develop a program of innovative techniques intended to preserve open space by gift and total or partial acquisition.

OBJECTIVE 3: To promote the development of new taxation techniques to allow landowners to preserve their land as open space or for agricultural uses (i.e., grazing, orchards, ranching, etc.).

POLICIES:

Policy 1:

Develop criteria for the designation of commercial forest land in cooperation with the U.S. Forest Service, California State Department of Forestry and Nevada County Resource Conservation District. Areas once identified should be conserved through the use of appropriate land use controls in order to minimize potential incompatible land uses (i.e., intensive residential and recreational development shall be discouraged and the use of the "TPZ" Timberland Preserve Zoning District and "PD" Planned Development Combining Zoning District shall be encouraged).

(Action needed to implement Policy: Adopt General Plan).

Policy 2:

Establish criteria for important watershed areas and protect such areas through zoning and other land use controls that minimize the potential for the degradation of the watershed.

(Action needed to implement policy: Adopt General Plan).



Policy 3:

Determine critical flora and fauna habitat areas through zoning and other land use controls that minimize the potential for the degradation of such areas.

(Action needed to implement Policy: Adopt General Plan).

Policy 4:

Flora and fauna concerns shall be made an important part of the land division process. The County shall work with the State Department of Fish and Game and any other agency or recognized organization to make sure that all land divisions impact flora and fauna to the minimum extent possible.

(Action needed to implement Policy: Amend Subdivision Ordinance).

Policy 5:

To maintain an active Wildlife Committee to advise the County on wildlife-related matters and assist in the allocation of State Department of Fish and Game funds.

(Action needed to implement Policy: Staff action required and adopt General Plan).

Policy 6:

Work with the California State Air Resources Board in establishing an air monitoring program within the County either on a permanent or temporary basis.

(Action needed to implement Policy: Staff action required).

Policy 7:

Prevent the degradation of surface and groundwater by:



- A. Adopting an ordinance that provides standards for groundwater wells.
- B. Providing that, where development on public sewerage systems could result in water quality degradation below established State and/or National standards, the County shall prohibit development until the sewerage system is improved to meet said standards.
- C. Encouraging the monitoring of all public sewerage systems and those provisions that must be made when the systems are near capacity.
- D. Continuing the strict enforcement of the individual waste disposal system ordinance.
- E. Strictly enforcing those policies within Plan which attempt to minimize non-point sources of water pollution; in addition, by encouraging the safe use of pesticides and fertilizers in urban and rural areas.
- F. Encouraging the development of alternative private sewage disposal systems that lessen the potential for surface and groundwater pollution.

The County shall implement this Policy no later than five years from the adoption of the General Plan.

(Action needed to implement Policy: Adopt new Ordinance).

Policy 8:

To minimize the potential for soil erosion and surface water quality degradation by requiring site plan approval for any land disturbance within 100 feet of any perennial watercourse, excluding timber harvesting and any land use governed by other County ordinances requiring soil erosion mitigation. Site plan approval will include the provision of an erosion control plan unless the size or nature of the proposed land use makes such a plan unnecessary.



Policy 9:

Determine those areas containing important minerals with the assistance of the State Division of Mines and Geology and Nevada County Resource Conservation District and promote their proper management by establishing a zoning district to deal with the management, extraction, and processing of minerals and restoration of the site; potential land use conflicts shall be minimized by low-density zoning surrounding important mineral areas and the transportation routes to those areas. The County shall implement this policy no later than one year after the adoption of the General Plan.

(Action needed to implement Policy: Amend Zoning Ordinance).

Policy 10:

Work with and encourage the activities of the Nevada County Resource Conservation District in identifying critical soil erosion problems and pursuing funding sources to address high priority existing problems.

(Action needed to implement Policy: Adopt General Plan).

Policy 11:

Determine important agricultural areas within the County in cooperation with the County Agricultural Commissioner, Farm Advisor and Nevada County Resource Conservation District. Conservation of such areas should be accomplished through proper zoning, participation in the Land Conservation Act, encouraging landowners involvement in the Nevada County Resource Conservation District's program, and encouraging those changes in State Legislation that promote the conservation of such agricultural areas.

The identification of important agricultural areas shall be based on the following: (1) Capability of soils to produce food and fiber, (2) Climate, (3) Availability of water, (4) Parcelization, (5) Compatibility of agricultural uses with other uses in the area in question, (6) Importance of agriculture in the area as



an alternative to other land uses due to public service and environmental constraints. The identification of important agricultural areas shall be used in the review of "AE" zoning district rezoning petitions and in the assessment of projects that might impact agricultural resources, specifically approval of tentative subdivision maps. The County shall start implementing this policy within one year of the adoption of the General Plan.

(Action needed to implement Policy: Amend Zoning Ordinance).

Policy 12:

Work with historical societies and other interested individuals in determining those areas of historical and archaeological concern and protect such areas by consulting with the above agencies and organizations prior to the approval of all public and private development. In addition, the County shall provide for the protection of such areas from changes that adversely affect the historical or archaeological value of a site. The County shall start implementing this policy no later than 3 years from the adoption of the General Plan.

Policy 13:

To provide Urban High Density and Urban Medium Density areas in as close a proximity to the Urban area as is reasonably possible and to provide an adequate amount of neighborhood commercial facilities to minimize the reliance on the auto and maximize the efficiency of the transit system; other land uses that create extensive trip generation shall also be so located.

(Action needed to implement Policy: Adopt General Plan).

Policy 14:

To give high priority to energy and minimize the consumption of non-renewable resources in all activities the County undertakes or approves.

(Action needed to implement Policy: Adopt General Plan).



Policy 15:

To encourage the activities of a County-wide recycling center and program at the existing McCourtney Sanitary Landfill site and all future similar sites. Said program shall be expanded to provide a more comprehensive program (i.e., larger facilities, more substations, more ad campaigns, etc.) as the recycling process becomes more cost-effective.

(Action needed to implement policy: Adopt General Plan).

Policy 16:

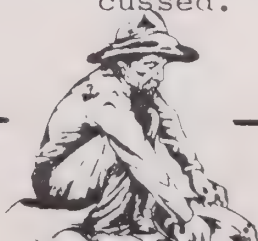
In cooperation with the Nevada County Resource Conservation District, review timber harvest plans and make recommendations that minimize environmental impact.

(Action needed to implement Policy: Staff action required).

Policy 17:

At the time of the issuance of all residential building permits, the County shall provide an information handbook to the builder suggesting guidelines for at least the following:

- A. Minimize fire hazard potential - Guidelines shall discuss such activities as brush clearance around the dwelling unit, non-flammable material for roofs and siding, types of fire extinguishers, chimney screens, etc.
- B. Proper homesite planning - Guidelines shall discuss house orientation to sunlight, wind, and other climate considerations, as well as various erosion control techniques, including proper seeding and fertilization.
- C. Proper fish and wildlife management - Guidelines shall discuss current wildlife and wildlife habitat characteristics in the County, means of minimizing damage to gardens and other landscaping by wildlife, and means of promoting fish and wildlife and their wildlife habitat management. The importance of stream influence zones and means of protecting them should be discussed.



Such guidelines shall not necessarily be mandatory, but shall be intended to offer suggestions to help the prospective homeowner. The County shall start implementing this policy no later than three years after the adoption of the General Plan.

(Action required to implement Policy: Staff action required).

Policy 18:

To provide an action program specifically for land sedimentation and environmentally sensitive areas by:

1. Continuing to identify environmentally sensitive areas, including floodplains, highly sloping areas, meadows, rare and endangered species habitat areas and minimize the degradation of such areas through low-density rural zoning and other land use controls.
2. Working with and encouraging the activities of the Nevada County Resource Conservation District in identifying critical soil erosion problem areas and pursuing funding sources to address high priority existing problems.
3. Requiring that all land divisions determined to contain environmentally sensitive areas by the County, Nevada County Resource Conservation District, and/or California State Department of Fish and Game shall show these areas on the final map. Within these areas no land may be disturbed nor may buildings be constructed. The County shall consider the recommendation of any appropriate agency and will make the final determination as to the environmental sensitivity.
4. Providing that all major County and private development, including but not limited to, land divisions and road construction, that would produce soil erosion, shall prepare and enforce a soil stabilization plan or its equivalent that adequately specifies how soil erosion shall be minimized.



(Action needed to implement Policy: Adopt General Plan).

Policy 19: In large, land divisions minimize the impact of timber production by encouraging the clustering of housing sites so that the remaining land might be used for forest production.

(Action needed to implement Policy: Adopt General Plan).

Policy 20: Specific designation of timber access roads should be made on all appropriate circulation and transportation elements and plans.

(Action needed to implement Policy: Adopt General Plan).

Policy 21: Establish as part of any mining or reclamation operation, a fish and wildlife plan designed to mitigate impacts as a condition of approval of said operation. The mitigation plan may include, but is not limited to, measures such as use of native plant species for reclamation, avoidance of riparian habitat, effective erosion control measures, and road circulation.



CHAPTER V

SAFETY ELEMENT

INTRODUCTION*

This element concerns itself with the amount of hazard caused by fire, geologic and pedologic hazards, and any other hazards that should be studied for the physical, economic, and social protection of Nevada County. It should be kept in mind that, as with earthquake risk, it is impossible to live in a "risk-free" environment. Regardless of various protection measures taken by the County, the potential for some kind of tragedy to occur is ever-present. It is up to the people of Nevada County to resolve the question of "how safe is safe enough?", and to determine an "acceptable" level of risk.

The large potential for wild land fires within the State of California is well documented. This hazard is particularly prevalent in mountainous areas where highly flammable vegetation, rugged terrain, dry climate, and influence by man make fire hazard ever present and fire control very difficult. The Be Fire Safe! guide defines as fire hazardous those forest, brush, or grass-covered mountainous areas generally over 8 percent in slope. The vast majority of Nevada County must be placed under this definition.

The natural environment plays a critical role in defining fire hazard. Vegetation, of course, provides the major source of fuel for fire. Timber trees, woodland, brush, and grassland provide various levels of fire hazard depending upon vegetation density, time of year, amount of moisture in the air, etc. The terrain, specifically the percentage of highly sloping land, can greatly influence fire behavior and make fire control very difficult. Weather also plays an important part in fire hazard. Dry summers, with little precipitation and low relative humidity, provide the most dangerous weather conditions, although winter months, with drying north and east winds, can also be dangerous. All three natural factors,



THE DONNER RIDGE FIRE OF 1960 BURNED OVER 70 SQUARE MILES OF LAND NEAR THE SIERRA NEVADA CREST.

*The majority of this section is a summary of the Safety Element Background Data Report, a copy of which is contained in the Nevada County General Plan Part III: Technical Data.



including fire-susceptible vegetation, highly sloping land, and dry weather conditions for much of the year play an important role in defining the large fire hazard for Nevada County.

Perhaps the most important point to be made concerning fire safety is the high potential that exists for a wild land fire of devastating intensity. Nevada County experiences literally hundreds of fires each year, many of which have the potential to develop into major wild land fires capable of destroying homes both in rural and urban areas. The current population growth occurring in the County only compounds the problem.

One of the major problems concerning fire protection within Nevada County is the lack of year-round fire protection agencies. Both the U. S. Tahoe National Forest and the California State Department of Forestry provide wild land fire protection service for the County, but this service is for only during the fire season and is intended primarily for wild lands, not structures. Therefore, for much of the year and much of the County, little full-scale fire protection exists. Sixteen local fire districts and departments, including the cities of Grass Valley, Nevada City, and Truckee, provide fire protection on a full-time basis for much of the more densely populated areas of the County.

Geologic and pedologic hazards include landslides, mudflows, settlements, subsidence, shrink-swell, expansiveness, liquefaction, and others. All refer a general loss of strength in consolidated, unconsolidated, and semi-consolidated rocks, soils, or a combination of both. Certain areas of California have suffered drastic failure in the past. However, in Nevada County it would appear that geologic and pedologic hazard must be considered relatively moderate. This judgment is based upon the physical attributes of the land and past history within the County. Nevada County generally has shallow soils overlying dense igneous and metamorphic rock. Such natural characteristics make for a relatively stable area. This is not to say that the County is free of all hazard. Any highly sloping area must be carefully managed to minimize any potential hazard. Even through a geologic or pedologic hazard may generally moderate, improper use of land by man can greatly increase hazard potential.

Flood information concerning Nevada County is relatively sparse. What information that does exist indicates that, in a very general sense, most of the County is relatively safe from major flooding. At the same time it is also clear that there are certain areas that suffer from a higher flood potential. For example, studies prepared by the U. S. Department of Housing and Urban Development and the U. S. Army Corps of Engineers indicate that areas along the Truckee River in Truckee and Squirrel Creek in Penn Valley fall within the 100-year floodplain.

Nevada County is faced with many other existing and potential safety hazards. Such hazards include snow avalanches, dam failure, volcanic activity, lack of adequate water quality, crime, and a safe circulation system. Minimizing these hazards is dependent upon gathering adequate information for each and developing a program to solve any potential problem by local, State and/or Federal agencies. A more detailed discussion of the above hazards can be found in the background data report to this element.



The Office of Emergency Services (OES) functions as a coordinating agency in times of disaster. Such disaster might take the form of a large fire, earthquake, flood, military or any other emergency that requires coordination among police, fire, public works, and health facilities. The local OES operates under the Nevada County Emergency Services Operational Plan. This Plan outlines various disasters and the County's response to such disasters. The agency and its plan helps to maximize safety for all County residents.

GOAL AND OBJECTIVES:

The following goal and objectives were prepared by the General Plan Citizen's Committee, approved by the Nevada County Planning Commission, and adopted by the Nevada County Board of Supervisors. These goal and objectives are the basis upon which the policies for the Safety Element are developed.

GOAL A: To develop and maintain as high a level of safety for all residents as is realistically possible.

OBJECTIVE 1: To minimize the fire hazard for both wild lands and developed areas and maintain a high level of fire protection.

OBJECTIVE 2: To minimize the safety hazard from flooding, unstable soils, snow avalanches, crime, illness, hazardous material and waste incidents, and other man-made phenomenon.

OBJECTIVE 3: To develop and maintain an efficient and effective system of safety-oriented services, including hospitals, ambulances, fire departments, and crime prevention agencies.

OBJECTIVE 4: To provide adequate safety improvements, including emergency circulation, for land development.

OBJECTIVE 5: To protect the safety and general welfare of people in the vicinity of the Truckee-Tahoe Airport and the Nevada County Airpark by minimizing the public exposure to airport-related safety hazards, and to assure the safe passage of aircraft inside and around both airports by safeguarding the preserving navigable airspace.



POLICIES:

Policy 1:

To maintain low-density and proper fire prevention methods in those areas clearly shown to have a high fire hazard and/or that lack adequate year-round fire protection facilities in order to minimize the potential fire hazard. Proper fire prevention methods shall be defined in the Fire Protection Ordinance.

(Action needed to implement Policy: Adopt General Plan).

Policy 2:

To reduce fire hazard by encouraging local fire districts to adopt ordinances that maintain high fire protection standards for all public and private development, including adequate access and water flow standards for public and private water systems for residential, commercial and industrial land uses, based on established standards.

(Action needed to implement policy: Adopt General Plan).

Policy 3:

To encourage the upgrading of facilities within existing fire protection districts and to encourage the expansion of existing districts or the creation of new districts where pollution densities warrant by placing appropriate requirements on all land development in areas where upgrading of facilities are needed by requiring development fees or other appropriate funding sources.

(Action needed to implement policy: Adopt General Plan)



Policy 4:

Cooperate with the California Department of Forestry, U.S. Forest Service, and local fire districts in fire prevention programs.

(Action needed to implement Policy: Adopt General Plan).

Policy 5:

To continue to work with appropriate local, State and Federal agencies in reviewing the most current flood hazard and floodplain information concerning the County and to limit development in such areas but to allow mining on a permit basis.

Policy 6:

To participate in the National Flood Insurance Program.

(Action needed to implement Policy: Adopt General Plan).

Policy 7:

To continue to work with appropriate agencies in reviewing the most current data concerning soil hazards (i.e., landslides, settlement etc.), and to limit development in those areas.

(Action needed to implement Policy: Adopt General Plan).

Policy 8:

Inform the public of how they can minimize slope stability problems on their own land.

(Action needed to implement Policy: Adopt General Plan).

Policy 9:

To promote the continued efficient and up-to-date local Office of Emergency Services and Nevada County Emergency Operational Plan and encourage public awareness of the Plan.

(Action needed to implement Policy: Adopt General Plan).



Policy 10:

The County shall enforce airport ground and height safety areas, and land use compatibility regulations, consistent with the Comprehensive Land Use Plans (CLUPS) adopted by the Foothill Airport Land Use Commission for the Truckee-Tahoe Airport on December 3, 1986, and for the Nevada County Airpark on June 3, 1987, as those plans are currently in effect, and as those plans may hereafter be amended. In the event compatibility cannot be determined by the provisions of the CLUP or the zoning regulations in effect for the properties covered by safety area regulations, the Foothill Land Use Commission shall be contacted for a determination.

Implementing regulations shall also include provisions for the Board of Supervisors to override land use compatibility guidelines, but not height restrictions or noise regulations, if, by four-fifths vote of the Board, it can be found that imposition of the land use regulations creates undue hardships which outweigh interests of public health and safety and the welfare objectives of the adopted plans.

Policy 11:

To follow criteria and mitigation measures set forth in the Nevada County Hazardous Waste Management Plan, adopted by the Nevada County Board of Supervisors on December 27, 1988, and attendant Final Environmental Impact Report, and as that plan may be amended, in siting on and off-site hazardous waste management facilities to minimize safety hazards associated with hazardous material and hazardous waste incidents.



Policy 12:

By January 1, 1991, adopt standards for roads and private driveways which will enhance the ability of emergency service providers to respond to structural and wildland fires, and calls for medical and law enforcement aid. Standards shall provide for secondary road access to new projects where necessary for fire safety.

Policy 13:

By January 1, 1991, adopt water supply standards which will provide, where reasonable, an on-site water supply which is available for fire protection.

Policy 14:

Enforce signing and addressing standards which will provide for easy identification of roads, streets, driveways and buildings by emergency service providers.

Policy 15:

By January 1, 1991, adopt, and provide enforcement for, standards relating to fuel modification and vegetation management adjacent to structures; vegetation management adjacent to roads and driveways to provide safe travel of residents and fire fighting personnel; building setbacks; and such other mitigation measures found to be necessary to reduce hazards associated with the structural and wildland intermix.

Policy 16:

Fire Hazard Classification Maps shall be kept on file by the County and shall be consulted in the review of all development projects so that mitigation applicable to each hazard classification can be applied.



Policy 17:

By January 1, 1991, the County shall establish the office of the County Fire Marshal whose responsibilities will include coordination of development and implementation of County fire safety programs, standards and procedures.

Policy 18:

The County Fire Marshall shall be directed to prepare a brochure which educates the public on fire safety measures, including use of non-flammable building materials, vegetation management, building design, water supply, access to buildings, building setbacks, street signing and address posting, smoke alarm maintenance, safe storage of inflammable materials, and maintenance of at least a minimum of fire response tools and equipment. Copies of the brochure shall be available to the public in appropriate County offices and shall also be given to fire districts in the County for distribution.

Policy 19:

By January 1, 1991, establish a Nevada County Task Force on Fire Safety which shall annually report to the Board of Supervisors on the County's fire safety and measures which need to be taken to enhance fire safety and facilitate fire protection capabilities.



CHAPTER VI

SEISMIC SAFETY ELEMENT

INTRODUCTION*

The determination of active faults within an area plays an important part in determining seismic risk. Faults are formed by the breaking and fracturing of the earth's crust, and seismic risk increases where such faults increase in size and activity. The California State Division of Mines and Geology has categorized all faults within the State as pre-quaternary (older than two million years), quaternary (younger than two million years), and historic (less than 200 years). The majority of older, relatively inactive pre-quaternary faults can be found in the western half of the County running generally in a north/south direction. More recent quaternary and historic faults can be found in the eastern half of the County generally surrounding the city of Truckee. The most recent fault was a part of the Truckee earthquake in 1966.

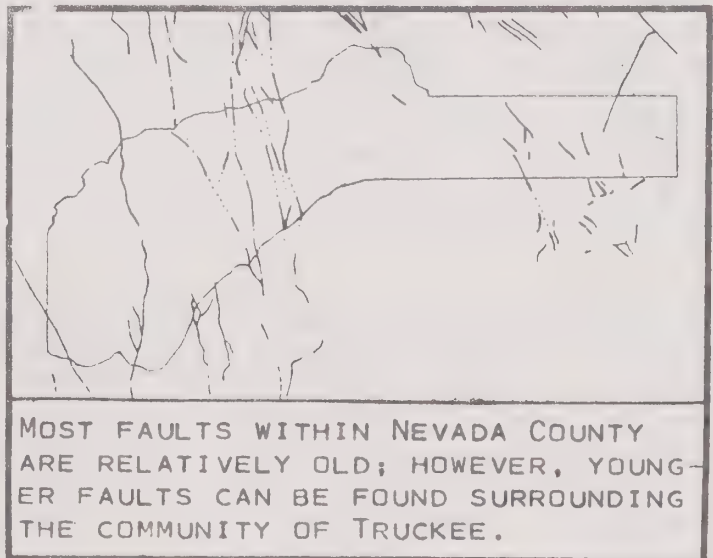
Recordation of seismic activity in Nevada County began in the 19th century. Such activity can be described in two different forms:

(1) The Richter Scale is a measure of magnitude or the amount of energy produced by the earthquake at the source. Authorities have placed the largest recorded earthquakes at 8.9 and the smallest at -3 on the Richter Scale.

(2) The Modified Mercalli is a measurement of intensity of an earthquake and actual physical damage done based on observation. The Scale measures intensities between I (usually detected only by instrument) and XII (virtually total damage).

Nevada County has experienced numerous earthquakes in recent times, the vast majority of minor magnitude. Between 1934 and 1961 Nevada County had the following earthquakes at the following Richter Scale: 1943, 5.3; 1944, 4.2; 1947, 4.5; 1947, 4.7; 1954, 4.1; 1954, 4.3; 1961, 4.0. Most of these earthquakes resulted in minor to moderate damage.

*The majority of this section is a summary of the Seismic Safety Background Data Report, a copy of which is contained in the Nevada County General Plan Part III: Technical Data.



Since 1887 Nevada County and the nearby surrounding area have experienced 14 earthquakes at a Modified Mercalli Scale of VI (damage minor to moderate) and 11 earthquakes at a Scale of VII (damage moderate to major). No major earthquakes (intensity of X or better) have occurred in the area.

The Boca (or Truckee) earthquake of 1966 had a magnitude of 5.4 and an intensity of VII. Although damage was extensive in area, it was minor in scale, occurring almost entirely in unconsolidated natural fill. Relatively slight damage occurred to both Prosser and Boca earthfill dams, bridges along Highway 80, and various other structures. Minor damage also occurred in western Nevada County.

The impact of an earthquake can be divided into two categories: the primary impact includes the actual breaking and shaking of the ground. The amount of breakage and shaking is a function of earthquake magnitude, type of bedrock, depth and type of soil, general topography and groundwater. In the Sierra Nevada the common occurrence of relatively shallow weathered material underlain by dense bedrock lessens the seismic risk.

Secondary impacts include ground settlement or subsidence, soil liquefaction, landslides, and mudslides. Because much of Nevada County is highly sloping, the threat of landslides and mudslides is ever present. However, due to the fact that most of the soils in the County lack adequate depth and cohesionless texture and are underlain with dense bedrock, most secondary impacts should be considered moderate at worst. A final secondary impact is seiches, or waves in bodies of water that can be caused by earthquakes. Because of the large number of lakes in the County, seismically induced seiches could prove very damaging, particularly for man-made facilities near flat banks.

Earthquake hazard is not only dependent upon various natural conditions but also upon the use of land and types of construction involved. Certain land uses are particularly sensitive to seismic hazard and should be allowed only where that hazard is minimized. Such uses include schools, hospitals, buildings over two stories, high-density population areas, emergency facilities, dams, reservoirs, levees, and canals. In Nevada County such a condition exists where the Truckee fault runs through Truckee and from Prosser Reservoir past Boca Reservoir to Stampede Reservoir in Sierra County.

The Uniform Building Code has placed all of the State of California with Seismic Zone 3, providing a high level of building construction for earthquake protection within the Code. This guarantees that Nevada County construction will provide high standards for earthquake protection.

In conclusion, it is important to remember that it is virtually impossible to attain a "no risk" earthquake environment, particularly in seismically active California. However, based on past history that indicates no earthquake of major proportion, Nevada County would not appear to be a particularly hazardous area in terms of earthquake activity. This conclusion is subject to change as more and better seismic data becomes available.



GOAL AND OBJECTIVES:

The following goal and objectives were prepared by the General Plan Citizen's Committee, approved by the Nevada County Planning Commission, and adopted by the Nevada County Board of Supervisors. These goal and objectives are the basis upon which the policies for the Seismic Safety Element are developed.

GOAL A: To minimize the loss of life, serious injury, and damage to structures and vital services and functions by seismic activity.

OBJECTIVE 1: To discourage all intense land uses, particularly "sensitive" land uses (i.e., schools, medical facilities, high-density population areas, dams, reservoirs, etc.) from known active faults.

OBJECTIVE 2: To encourage high, yet reasonable, building standards to aid in the protection from seismic activity.

POLICIES:

Policy 1: Continue to work with appropriate local, State and Federal agencies in reviewing the most current seismic data concerning the County.

(Action needed to implement Policy: Adopt General Plan).

Policy 2: Require detailed soils and geologic investigations for all proposed "sensitive" land uses and developments to identify and evaluate the various seismic hazards that exist. When hazards cannot be mitigated to an acceptable level of risk, the proposed development shall be relocated. The County shall implement this policy no later than one year after the adoption of the General Plan.

(Action needed to implement Policy: Adopt General Plan).

Policy 3: Require detailed soils and geologic investigations to identify and evaluate the various seismic hazards that may exist for all proposed development, including subdivisions, within an area determined to be seismically active by the State Division of Mines and Geology or within 300 feet of known traces of active or potentially active faults that



may be identified by the State Division of Mines and Geology. When hazards cannot be mitigated to an acceptable level of risk, the proposed development shall be relocated. The County shall implement this Policy no later than one year after the adoption of the General Plan.

(Action needed to implement Policy: Amend Zoning Ordinance; amend Subdivision Ordinance).

Policy 4:

Carry out the requirements of the Uniform Building Code, particularly with regard to seismic design, grading, and excavation.

(Action needed to implement Policy: Adopt General Plan).

Policy 5:

Establish a reference collection of reports to facilitate the identification, evaluation, and avoidance of seismic hazards. Such collections shall include the most recent documentation of seismic hazards and maps showing active and potentially active faults.

(Action needed to implement Policy: Staff action required).

Policy 6:

To coordinate with the State Office of Emergency Services for earthquake disaster in other parts of Northern California and make the public aware of such policies to be implemented.

(Action needed to implement Policy: Adopt General Plan).



NEVADA COUNTY NOISE ELEMENT

CHAPTER VII

Introduction

California State law requires that all Counties adopt a noise element which identifies and appraises noise problems and the solutions to these problems. Consistent with this mandate, this Element has been divided into two parts. Part I includes a brief summary of existing and projected noise problems, goal and objectives based on this analysis, and implementing policies necessary to achieve the goal and objectives. Part II, also referred to as the Noise Element Background Data Report, provides that detailed discussion of local noise problems summarized in Part I.

Noise has been defined in many different ways. It has been described as discordant sound resulting from non-periodic vibrations in the air, disagreeable vibrations in atmospheric pressure caused by a vibrating source, or more simply, unwanted sound. Noise is normally defined in terms of its amplitude (loudness), frequency (pitch), and duration (time).

Noise can be evaluated in many different ways. More sophisticated testing normally records noise over a given period of time. Some noise standards simply determine the "average" amount of noise for this time period. Others "weight" this average with a built-in bias toward nighttime activity penalizing that noise generated at night. Many private and public bodies have developed noise standards for specific land uses to assist local government and private industry in determining what is an acceptable level of noise.

A key part of the Noise Element Background Data Report includes the Nevada County Noise Monitoring Study. This study, through the use of several Sound Level Meters, has determined the existing level of noise for many areas within Nevada County. Both noise generators, such as highways, airports, railroads, and industrial land uses, as well as those residential and rural areas of the County sensitive to noise, have been monitored. This monitoring forms the foundation upon which the goal, objectives, and implementing policies are based.

In general, most noise is created in Nevada County adjacent to transportation routes. Noise contour maps show that all highways in the County, as well as many local streets and roads, impact nearby residences. The Southern Pacific Railroad also strongly impacts eastern Nevada County, particularly downtown Truckee. Local airports impact nearby noise sensitive land uses to only a limited degree.



Because most industrial areas in the County are considered to be "light", such areas do not appear to be major noise generators.

However, specific industrial land uses involved in resource development, primarily lumber mills and mining operations, do appear to impact surrounding land uses depending upon their location, level of activity, and nature of affected areas.

Most noise sensitive land uses, including residences, schools, hospitals, nursing homes, churches, and libraries exist in relative quiet areas of the County. Higher noise levels for such areas are normally caused by transportation routes and/or the noise sensitive land uses themselves.

Projected noise problems will likely continue to center around the above-mentioned sources. AS transportation routes become more heavily used, it is likely they will provide for greater noise impacts on nearby land uses. The County will also have to deal with the noise-related issues of resource development and ways to minimize their impacts on residential and rural areas. Finally, as the County's population growth continues, it can be expected that the overall ambient noise level for many residential and rural areas will slowly increase commensurate with the population growth.

GOAL, OBJECTIVES, AND POLICIES

Goal:

To provide for the health, safety, and welfare of the people of Nevada County through a set of policies designed to encourage an environment free of unnecessary and annoying noise.

Objective A: To determine the existing noise environment and continue to reassess this environment so that a realistic set of noise standards can be developed reflecting the varying nature of different land uses.

Objective B: To encourage public awareness of noise and its hazards and means to minimize its existing and future impacts.

Objective C: To develop a realistic policy framework designed to function as a guide to planning for appropriate land uses in relation to hazardous and annoying noise.



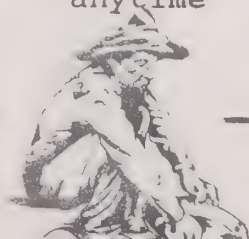
Objective D: To protect the safety and general welfare of people in the vicinity of the Truckee-Tahoe Airport and Nevada County Airpark by promoting the overall goals and objectives of the California Airport Noise Standards (California Administrative Code, Title 21, Section 5000 et seq.) and the California Noise Insulation Standards (California Administrative Code, Title 25, Section 28), to prevent the creation of new noise-generated complaints around the two airports, and to minimize the public's exposure to excessive aircraft-generated noise.

POLICIES

Policy 1: The following noise standards, as performance standards and land use compatibility standards, shall apply to all discretionary and ministerial projects excluding permitted residential (including tentative maps) land uses.

TABLE 1
EXTERIOR NOISE LIMITS

LAND USE CATEGORY	ZONING DISTRICT	TIME PERIOD	NOISE LEVEL (dBA)
Rural	A1, TPZ, AE, OS, FR, & IDR	7 a.m. - 7 p.m.	55 Leq, Lmax 75
		7 p.m. - 10 p.m.	50 Leq, Lmax 65
		10 p.m. - 7 a.m.	40 Leq, Lmax 55
Residential	RA, R1, R2, & R3	7 a.m. - 7 p.m.	55 Leq, Lmax 75
		7 p.m. - 10 p.m.	50 Leq, Lmax 65
		10 p.m. - 7 a.m.	45 Leq, Lmax 60
Public	P	7 a.m. - 7 p.m.	55 Leq, Lmax 75
		7 p.m. - 10 p.m.	50 Leq, Lmax 65
		10 p.m. - 7 a.m.	45 Leq, Lmax 60
Commercial	C1, CH, C2 & OP	7 a.m. - 7 p.m.	70 Leq, Lmax 90
		7 p.m. - 7 a.m.	65 Leq, Lmax 75
Research & Development	R & D	7 a.m. - 7 p.m.	65 Leq, Lmax 85
		7 p.m. - 7 a.m.	60 Leq, Lmax 70
Industrial	M1, M2	anytime	80 Leq, Lmax 90



- a. Compliance with the above standards shall be determined by measuring the noise level based on the mean average of not less than three (3) 20 minute measurements for any given time period. Additional noise measurements may be necessary to ensure that the ambient noise level is adequately determined.
- b. Where two different zoning districts abut, the standard applicable to the lower, or more restrictive, district plus 5 dBA shall apply.
- c. The above standards shall be measured only on property containing a noise sensitive land use as defined in Policy 3 and may be measured anywhere on the property containing said land use. However, this measurement standard may be amended to provide for measurement at the boundary of a recorded noise easement or as determined in a recorded letter of agreement between all effected property owners and approved by the County.
- d. If the measured ambient level exceeds that permitted, then the allowable noise exposure standard shall be set at 5 dBA above the ambient.
- e. Because of the unique nature of sound, the County reserves the right to provide for a more restrictive standard than shown in Table 1. The maximum adjustment shall be limited to be not less than the current ambient noise levels and shall not exceed Table 1 standards or as they may be further adjusted by Policy 1.b.. Imposition of a noise level adjustment shall only be considered if one or more of the following conditions are found to exist:

1. Unique characteristics of the noise source:

- a. The noise contains a very high or low frequency, is of a pure tone (a steady, audible tone such as a whine, screech, or hum), or contains a wide divergence in frequency spectra between the noise source and ambient level.
- b. The noise is impulsive in nature (such as hammering, riveting, or explosions), or contains music or speech.
- c. The noise source is of a long duration.

2. Unique characteristics of the noise receptor when the ambient noise level is determined to be 5 dBA or more below the Policy 1 standard for those projects requiring a General Plan amendment, rezoning, and/or conditional use permit. In such instances, the new standard shall not exceed 10 dBA above the ambient or the Policy 1 standards whichever is more restrictive.



- f. The above standards shall not apply to those activities associated with the actual construction of a project or to those projects associated with the provision of emergency services or functions.
- g. The standards of this policy shall be enforced through compliance inspections and/or complaints.
- h. Recognizing that this Element must work toward the solution to existing noise problems, those land uses that are inconsistent with the above standards and are therefore non-conforming in nature shall comply with said standards as these land uses are upgraded or intensified or after abandonment through the use permit or site plan process. Said standards shall apply only to that portion of the land use requiring approval. In any event, the use or portion subject to a land use permit must meet the standards in Table I and cumulatively the noise generated from the entire site must be equal to or less than the pre-land use permit ambient noise level. All such projects will require a comprehensive noise study per Policy 5 and the Nevada County Noise Element Manual.

Policy 2: Strongly discourage those General Plan amendments and zone changes that would likely create land use conflicts relative to noise.

Policy 3: Strongly encourage future noise sensitive land uses, including residences, schools, hospitals, nursing homes, churches, and libraries, to those locations of the County where the impact of noise generators is limited so that compliance with standards found in Policy 1 will be maintained. This policy shall apply to the approval of all tentative maps for residentially zoned parcels. As an additional guide in evaluating land use compatibility, those standards as found in Figure 1 shall be used.

Policy 4: Limit future noise generating land uses to those locations of the County where their impacts on noise sensitive land uses will be minimized, consistent with the standards found in Policy 1.

Policy 5: Require the preparation of a comprehensive noise study for all land use projects determined to have the potential to create noise levels inconsistent with those standards found in Policy 1. This study should normally include an analysis of existing pre-project ambient noise levels, frequency spectra, frequency of occurrence, and duration of typical sounds.



LAND USE CATEGORY	COMMUNITY NOISE EXPOSURE L _{dn} OR CNEL, dBA					
	50	55	60	65	70	75
RESIDENTIAL - LOW DENSITY SINGLE FAMILY, DUPLEX, MOBILE HOMES			●●●●●●	▨▨▨▨▨▨	▨▨▨▨▨▨	▨▨▨▨▨▨
RESIDENTIAL - MULTI-FAMILY			●●●●●●	▨▨▨▨▨▨	▨▨▨▨▨▨	▨▨▨▨▨▨
TRANSIENT LODGING - MOTELS, HOTELS			●●●●●●	▨▨▨▨▨▨	▨▨▨▨▨▨	▨▨▨▨▨▨
SCHOOLS, LIBRARIES, CHURCHES, HOSPITALS, NURSING HOMES			●●●●●●	▨▨▨▨▨▨	▨▨▨▨▨▨	▨▨▨▨▨▨
AUDITORIUMS, CONCERT HALLS, AMPHITHEATRES		●●●●●●	▨▨▨▨▨▨	▨▨▨▨▨▨	▨▨▨▨▨▨	▨▨▨▨▨▨
SPORTS ARENA, OUTDOOR SPECTATOR SPORTS			●●●●●●	▨▨▨▨▨▨	▨▨▨▨▨▨	▨▨▨▨▨▨
PLAYGROUNDS, NEIGHBORHOOD PARKS			●●●●●●	▨▨▨▨▨▨	▨▨▨▨▨▨	▨▨▨▨▨▨
GOLF COURSES, RIDING STABLES, WATER RECREATION, CEMETERIES			●●●●●●	▨▨▨▨▨▨	▨▨▨▨▨▨	▨▨▨▨▨▨
OFFICE BUILDINGS, COMMERCIAL RETAIL			●●●●●●	▨▨▨▨▨▨	▨▨▨▨▨▨	▨▨▨▨▨▨
INDUSTRIAL, MANUFACTURING, UTILITIES, AGRICULTURE			●●●●●●	▨▨▨▨▨▨	▨▨▨▨▨▨	▨▨▨▨▨▨

INTERPRETATION

CLEARLY ACCEPTABLE

THE ACTIVITIES ASSOCIATED WITH THE SPECIFIED LAND USE MAY BE CARRIED OUT WITH ESSENTIALLY NO INTERFERENCE FROM THE NOISE EXPOSURE.

●●●●●●

NORMALLY ACCEPTABLE

NOISE SHOULD BE CONSIDERED IN PROPOSED LAND USE PLANS, BUT UNDER MOST CIRCUMSTANCES CONVENTIONAL CONSTRUCTION, WITHOUT ANY SPECIAL NOISE INSULATION REQUIREMENTS, IS SATISFACTORY.

CONDITIONALLY ACCEPTABLE

NEW CONSTRUCTION OR DEVELOPMENT SHOULD BE UNDERTAKEN ONLY AFTER A DETAILED ANALYSIS OF THE NOISE REDUCTION REQUIREMENTS IS MADE AND NEEDED NOISE INSULATION FEATURES INCLUDED IN THE DESIGN. CONVENTIONAL CONSTRUCTION, BUT WITH CLOSED WINDOWS AND FRESH AIR SUPPLY SYSTEMS OR AIR CONDITIONING WILL NORMALLY SUFFICE.

▨▨▨▨▨▨

NORMALLY UNACCEPTABLE

NEW CONSTRUCTION OR DEVELOPMENT SHOULD GENERALLY BE DISCOURAGED. IF NEW CONSTRUCTION OR DEVELOPMENT DOES PROCEED, A DETAILED ANALYSIS OF THE NOISE REDUCTION REQUIREMENTS MUST BE MADE AND NEEDED NOISE INSULATION FEATURES INCLUDED IN THE DESIGN.

▨▨▨▨▨▨▨▨▨▨

CLEARLY UNACCEPTABLE

NEW CONSTRUCTION OR DEVELOPMENT SHOULD GENERALLY NOT BE UNDERTAKEN.

AIRPORT/LAND USE NOISE COMPATIBILITY CRITERIA

Figure 1



A similar analysis projected with approval of the project and specific mitigation measures needed to minimize potential noise impacts should also be included.

- Policy 6: Provide for adequate design controls to assist in minimizing the impacts of future noise generating land uses through increased setbacks, landscaping, earthen berms, and solid fencing.
- Policy 7: Strictly enforce the noise insulation standards for new construction as required by Title 24 of the California Administrative Code.
- Policy 8: Minimize the noise impact from automobiles, trucks, motorcycles, and off-road vehicles by continuing to request enforcement by those sections of the California Vehicle Code relative to vehicle exhaust system maintenance by the County Sheriff and State Highway Patrol.
- Policy 9: Ensure the development of compatible land uses adjacent to the Nevada County Airpark-Airport through the approval of development consistent with the land use map of the General Plan, recommendations of the Airport Land Use Commission, and the continued enforcement of the Airport Land Use Noise Compatibility Criteria as found in Nevada County Airpark-Airport Master Plan. (see Figure 1).
- Policy 10: Ensure the development of compatible land uses adjacent to the Truckee-Tahoe Airport through the approval of development consistent with the land use maps of both the Nevada County and Martis Valley General Plans and recommendations of the Airport Land Use Commission and by encouraging the implementation of the Truckee-Tahoe Airport Master Plan.
- Policy 11: Where realistically possible, encourage noise sensitive land uses away from railroad operations.
- Policy 12: The routing and design of new or expanded transportation facilities by the County shall incorporate feasible measures necessary to mitigate increases in noise levels.
- Policy 13: Encourage heavy truck traffic to those routes outside residential areas.



- Policy 14: Encourage cities within Nevada County to adopt noise control programs compatible with County efforts.
- Policy 15: The Nevada County Planning Department shall be the lead agency responsible for coordination of all local noise control activities and intergovernmental group activities and subsequent enforcement efforts.
- Policy 16: Encourage the minimization of noise emission from all County-controlled activities consistent with Policy 1 standards.
- Policy 17: Within one yea from the adoption of the revised Element, the county shall reconsider the Element. As a part of this process, the County will continue an on-going County-wide noise monitoring program. The purpose of this program is to assess the changing noise environment in the County in terms of the existing ambient noise level for typical rural, residential, commercial and industrial areas and to ensure that the Policy 1 standards realistically reflect the needs of Nevada County.
- Policy 18: This Element of the General Plan shall be implemented, in part, through the incorporation of the Policy 1 noise standards within the Land Use and Development Code and the adoption of the Noise Element Manual providing detailed direction and implementation procedures. This Manual is adopted as a part of the Element and can be found as Appendix "A".
- Policy 19: The County shall enforce noise standards consistent with the airport noise policies included in the Foothill Airport Land Use Commission Comprehensive Land Use Plans for the Truckee-Tahoe Airport, adopted on December 3, 1986, and for the Nevada County Airpark, adopted on June 3, 1987, as those standards are in effect and may hereafter be amended.



CHAPTER VIII

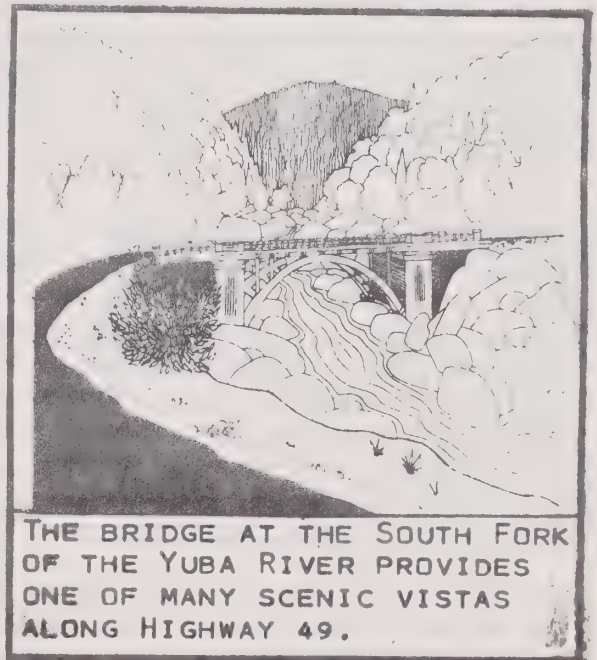
SCENIC HIGHWAYS ELEMENT

INTRODUCTION*

The State Scenic Highways program began in 1960 with the attempt by a group of citizens to stop the construction of a highway through a scenic and historical area along the California coast. Since then the State has developed the State Scenic Highways System made up of a list of scenic State highways throughout the State. This list was developed by the State Scenic Highway Advisory Committee, approved by the State Legislature, and administered by the State Department of Transportation. Within Nevada County the list includes the following:

- (1) Route 20 near Grass Valley to Route 80 near Emigrant Gap.
- (2) Route 49 throughout the entire County.
- (3) Route 80 throughout the entire County.
- (4) Route 89 throughout the entire County.

This, of course, is not a complete list of all scenic highways within the County, but simply those that the State has deemed significant enough to be a part of the State system. Certainly State Highways 174 and 267 must be considered scenic. It is possible for Nevada County to develop its own scenic system apart from the State, made up of County or State roads and highways.



Any highway that is part of the State Scenic Highways Master Plan is eligible for official designation as an "Official Scenic Highway". For such designation to occur, the following steps must be taken:

- (1) The Nevada County Board of Supervisors must request that the State Department of Transportation prepare a Scenic Highways Report for each highway on the current Master Plan. This report contains maps, photographs, and other forms of documentation suggesting scenic corridor boundaries.

*The majority of this section is a summary of the Scenic Highways Element Background Data Report, a copy of which is contained in the Nevada County General Plan Part III: Technical Data.



- (2) Once the Scenic Highway Report is completed, the County shall protect and enhance the existing and man-made scenic resources along the highways through proper land use controls.
- (3) Upon findings that the County has adequately protected the highway, the Department of Transportation shall designate the highway as an "Official State Scenic Highway".

Once designated, such scenic highways shall be publicized by the State through applicable maps and publications and the familiar "poppy signs". In addition, designation improves the likelihood of the development of roadside rests, vista points, and other improvements by the State.

Past action by Nevada County toward scenic highway designation began in 1966 when the County requested a Scenic Highways Report from the State for Highway 20. This report was presented to the County in 1970, and in 1973, the County prepared an enforcement program by zoning virtually all of that portion of Highway 20 within the State Scenic Highways Master Plan within the "Scenic Corridor" District. This provided a 600 foot zone existing generally from Dow Road to Highway 80. Only a small portion of Highway 20, adjacent to the U. S. Tahoe National Forest, has been officially designated by the State.

Whether the County cooperates with the State or not, proper determination and protection of scenic highways within the County provides important benefits. Most important, perhaps, is the preservation and protection of vital open space. This is particularly important for Nevada County because of the high level of quality scenic resources within the County. Scenic highway protection can help to preserve and enhance the quality of life for the citizens of the County and improve the tourist industry by preventing the degradation of an important environmental resource.

GOAL AND OBJECTIVES:

The following goal and objectives were prepared by the General Plan Citizen's Committee, approved by the Nevada County Planning Commission, and adopted by the Nevada County Board of Supervisors. These goal and objectives are the basis upon which the policies for the Scenic Highways Element are developed.

GOAL A: To promote the conservation of scenic roads and highways.

OBJECTIVE 1: To encourage an increase in the number of designated State Scenic Highways in Nevada County.

OBJECTIVE 2: To encourage a system of local scenic roads apart from the State Highways System.

OBJECTIVE 3: To acquire land or scenic easements for the preservation of scenic corridors wherever feasible.



POLICIES:

Policy 1:

To request that the State Department of Transportation prepare a Scenic Highways Report for all those highways in Nevada County shown on the State Scenic Highways Master Plan and implement these studies by zoning specified areas within the "Scenic Corridor" zoning district. The County shall request the Scenic Highways Report within one year of the adoption of the General Plan and shall implement the Report through zoning within five years of acceptance of the Report.

(Action needed to implement Policy: Amend Zoning Ordinance).

Policy 2:

To recommend those local routes not a part of the State Scenic Highways Master Plan for which the County wishes to maintain high scenic quality and zone such routes within the "Scenic Corridor" zoning district.

The County shall start implementing this policy no later than two years from the adoption of the General Plan.

(Action needed to implement Policy: Staff action required).

Policy 3:

Zoning shall recognize the importance of those highways shown on the State Scenic Highways Master Plan and other important local scenic routes and shall protect their scenic quality through the following:

- A. Limit population density along such routes.
- B. Limit direct access along such routes.
- C. Provide "SC" Scenic Corridor Zoning District along such routes.
- D. Encourage "PD" Planned Development Combining Zoning District along such routes.
- E. Continue to prohibit additional billboards along such routes.
- F. Require mining and reclamation operations to provide an adequate amount of visual screening of such operations from those routes identified as scenic corridors by the County.



CHAPTER IX

SOCIO-ECONOMIC ELEMENT

INTRODUCTION*

A comprehensive General Plan must concern itself with both the social and economic development of the County. This concern must deal with both the upgrading of social and economic characteristics (i.e., community services, County tax base, education, employment, health, etc.) and with land use decisions that have social and economic implications.

The State Department of Finance has determined that Nevada County has averaged an annual population increase of 1,700 people per year from 1970 to 1977 (this is an annual reate increase of 5.2 percent, one of the highest rates in the State). The majority of this growth is occurring in the rural areas of the County. A high net in-migration accounts for most of this growth. In recent recent years births in the County generally equal deaths; for the State there are approximately twice as many births as deaths. Age composition shows a high number of elderly in the County when compared with the State. In 1970 the median age was 38 years old (compared with the State's median age of 28). By 1975, the County's median age level had lowered slightly to 36 years old.

Such population characteristics have obvious social and economic implications. The continued in-migration of families into rural areas will continue to increase the demand for more jobs, shopping facilities, better roads, more school facilities, etc., in such areas. An older population will be more interested in the traditional ranch style home in a rural setting. The elderly will tend to occupy the older rental housing, require more money spent on medical services, and require less use of school facilities.

Despite having a generally older population than the State, Nevada County is generally comparable with the State in terms of the cause of death within the County. The four major causes of death, including heart disease, cancer, stroke, and accidents, are all similar with the percentages at the State level. Nevada County has more licensed health facilities and beds available per thousand population than the State in every category except large residential care

*The majority of this section is a summary of the Socio-Economic Element Background Data Report, a copy of which is contained in the Nevada County General Plan Part III: Technical Data.



NEVADA COUNTY'S UNEMPLOYMENT IS VERY SEASONAL, VARYING FROM A HIGH OF 20 PERCENT IN FEBRUARY TO A LOW OF 11 PERCENT IN OCTOBER.



facilities and day nurseries. This is consistent with the small number of children below five years of age in the County relative to the State. The primary concern of health planning for Nevada County must be to expand health services to an expanding population. Additional people will require additional facilities (i.e., more nursing homes for the aged, more day nurseries as young families move in the County, etc.) and services (i.e., mental counseling, alcoholic rehabilitation, etc.).

A majority of schools in the County are approaching, at, or over capacity. Only the Truckee-Tahoe School District and those districts close to the Grass Valley-Nevada City area are not growing rapidly. Districts in rural Nevada County have been growing at a pace of almost 10 percent annually over the past five years. Many of these districts must expand existing sites, find new sites, or do both. Temporary and permanent solutions include temporary buildings, year-round school, half-day sessions, etc. New facilities and solutions must be paid for by conventional bonding, tax overrides, and other possible techniques that will provide new sources of funding for the additional services required.

Crime also constitutes an important social attribute. The number of crimes committed in recent years has generally risen faster relative to the number at State level; still, Nevada County has a lower crime rate per thousand population than the State. The bulk of crime involves illegal entry and removing property (burglary and grand theft). One of the main reasons for this is that the location of homes in rural areas leaves property vulnerable. Additional homes in rural areas will continue to compound the problem.

Employment in Nevada County can be divided into various sectors. The County is strong in the employment sector of services (business and repair, personal, health, educational, etc.), retail trade, and public administration. However, the strength of an economy is usually based on those sectors that produce goods and services consumed outside the County, and usually involve such sectors as manufacturing and wholesale trade. Unfortunately, Nevada County's unemployment rate as of 1975 of 14.8 percent is also unfavorable when compared to the State's rate of 9.9 percent. Much of this unemployment is seasonal, varying from a high of almost 20 percent in February to a low of less than 11 percent in October. The provision of additional jobs, and more importantly, the provision of the right kind of jobs in the right kind of employment sectors will help to solve current unemployment problems and a potentially weak economy.

One-half of the families in Nevada County earned incomes either above or below \$8,295 -- the median income -- compared to a median income for the State of \$10,732 as of 1970. The overall income structure for the County is lower than for the State. A large percentage of County income comes in the form of transfer payments (i.e., social security checks, welfare payments, etc.).

Money derived from the taxing of property and retail sales are two of the main means of County financing. Income from both sources has increased at a steady rate in recent years. The increase in general property taxes is primarily the result of the increase in building activity (both the amount and value of construction). The increase in retail sales taxes indicates the growth of commercial trade. Because of the large increase in assessed valuation, the



County tax rate has remained about the same in recent years. The true market value of the assessed valuation of the County provides the base for financing private and public projects. A strong tax base increases the capacity of County government as well as special purpose government to finance a basic level of service and to pass bonds. At the same time, an increase in assessed valuation also generally means an increase in the demand on government to provide an additional level of service.

Construction is a major and potentially stable industry in Nevada County, possibly more so than in other parts of the State because the potential buyers of homes in the County -- the in-migrating heads of households -- have both income and stability. Local construction activity has seen a slight slowdown in 1974 and 1975 after a peak year in 1973, and a very large increase in activity beginning in 1976. A portion of this increase can be attributed to the large increase in activity at the State level, but a major portion can be attributed to the large demand for additional residential construction at the local level. Such activity increases the number of jobs both for actual construction and related industries (i.e., building materials, as mentioned above, etc.). It also has major implications for the County's tax base, increasing the assessed valuation as well as the demand for additional government services.

GOAL AND OBJECTIVES:

The following goal and objectives were prepared by the General Plan Citizen's Committee, approved by the Nevada County Planning Commission, and adopted by the Nevada County Board of Supervisors. These goal and objectives are the basis upon which the policies for the Socio-Economic Element are developed.

GOAL A: To promote the economic health and viability of Nevada County.

OBJECTIVE 1: To increase the economic strength of critical economic factors including agricultural, recreational, timber and mining industries, to improve existing commercial and industrial areas. Actions take to maintain or strengthen the socio-economic conditions of the County shall recognize the importance of the County and its residents of an attractive environment.

OBJECTIVE 2: To facilitate the efforts toward economic diversification by encouraging, where feasible, small, clean industry into the County and providing adequate sites for such industry in those areas with surrounding compatible land uses.

POLICIES:

Policy 1: To actively encourage the on-going functions of the Overall Economic Development Program Committee as the key entity in bringing desirable industry to Nevada County. Primary emphasis shall be placed on diversifying the economy by



promoting the manufacturing and whole-sale trade sectors. Emphasis shall also be placed on encouraging that type of industry that will minimize environmental impact, as well as that type of industry that will employ, educate, and/or train local residents rather than bringing in employees from outside the County.

(Action needed to implement Policy: Adopt New Ordinance).

Policy 2:

To provide sufficient industrial and commercial sites, adequate in location and size, to foster stable economic growth.

(Action needed to implement Policy: Adopt General Plan).

Policy 3:

To encourage educational opportunities for both academic and trade sectors.

(Action needed to implement Policy: Adopt General Plan).



CHAPTER X

MINERAL MANAGEMENT ELEMENT

INTRODUCTION

Historically in Nevada County, mining activities have played an important role in not only the local economics, but also in regional, state and national economics. In recent years, conflicts have intensified between interests in renewed mining and interests in the burgeoning growth of urban and suburban uses of the land.

This Mineral Management Element, a part of the County's General Plan, provides guidance for identifying, evaluating, and resolving those conflicts. It is not the intent of the Element to resolve every conflict; it is the intent, however, to provide policies which can either eliminate obvious conflicts and/or guide the resolution of more obscure conflicts.

The Mineral Management Element applies to lands in Nevada County which are outside the administration of the Bureau of Land Management, the Forest Service and other Federal and State land-holding agencies. It recognizes that while mining on said lands may not be prohibited by the County, and thus the County's use permit process will not apply to such activities, such mining is subject to compliance with the County's health, sanitation, building, and environmental regulations (reference is to the U.S. Supreme Court decision in Granite Rock).

The Element is compatible with and required by the California State Surface Mining and Reclamation Act of 1975.

The Element includes the goals, objectives and policies followed by appendices providing various detailed information.



ABSTRACT

Urbanization and increased environmental awareness have resulted in conflicts between non-mining and mining interests in Nevada County. The goal of this Element is to outline policies to be used by both planners and private interests to mitigate and resolve these conflicts and to better manage the development of mineral resources in the County. These policies will help to protect valuable mineral resources from urban encroachment while assuring that mining operations do not disturb the more developed regions of the County.

Recreational mining is allowed in all Nevada County General Plan designations without County permits. Mine exploration of limited scope and duration is allowed in designations compatible with mining, but is restricted in incompatible designations. Large scale exploration projects, surface mines, and subsurface mines, however, require conditional use permits issued by the County, and most of these activities are disallowed in designations incompatible for mining. Incompatible designations are generally in the more urban areas of the County, whereas compatible designations are generally in the more rural areas.

Mine development is encouraged in compatible areas before encroachment of conflicting uses. The anticipated time until these conflicts arise will be a factor used to determine the permitted duration of operations. Reclamation will be an integral part of any mining operation and must be designed to conserve resources and protect the environment. Thus, new mining operations may result in the reclamation of previously mined and environmentally damaged areas. Water conservation will also be a part of any mine plan, and conservative on-site use as well as measures assuring the quality and quantity of off-site discharge will be required for mine operations. If a proposed venture threatens the environmental quality of public or private property, the County may require a surety to assure mitigation of any damage.

Surface mining is conditionally permitted in compatible designations that are zoned within the "ME" Mineral Extraction Combining District. Such areas are those known to contain potentially significant mineral resources and lie in compatible areas for surface mining. Areas not currently zoned "ME" and that lie in a compatible designation may be rezoned if a significant resource can be shown to be present. The "ME" zone will be used to warn the public that the potential for a future surface mining operation exists and thus this zone will discourage the encroachment of incompatible land uses. Its use will be based on data found in State Classification Reports or similar data identifying significant mineral resource areas.

Subsurface mining is conditionally permitted in all General Plan designations, but in areas whose designation is incompatible with surface mining these mines must assure a minimal impact on surface land uses. Changes in water quality and quantity, noise, vibration, land subsidence, and traffic at the surface access will all be addressed.



Surface access to subsurface mines is conditionally permitted only in areas compatible with surface mining. Minor surface disturbance, such as emergency access or air vents may be permitted in incompatible areas. Surface plants for subsurface mines that may cause significant disruption at the surface are subject to the same policies as surface mines.

This Element outlines only part of the regulations to which recreational mining, mineral exploration, and surface and subsurface mines are subject. Mining and related operations must also comply with the other Elements of the Nevada County General Plan. All mine operations in Nevada County must comply with all State and Federal regulations that may apply. It is the responsibility of the mine developer to meet all regulatory requirements (see Appendix D).



DEFINITIONS

Aggregates: Aggregates are classified into two major categories: (1) crushed stone; and (2) sand and gravel. Crushed stone is regulated under Surface Mining policies. Sand and gravel, produced from modern or ancient stream beds or flood plains, are covered under specific Surface Mining policies. Commercial aggregates may also be produced from waste from Surface or Subsurface mines; in such cases the appropriate policies apply.

CEQA: California Environmental Quality Act

Compatible General Plan Designations: Those Nevada County General Plan designations potentially compatible for surface mining, including the following:

- Rural
- Low Density Rural
- Forest
- Open Space
- Industrial
- Public

Compatible Land Use: Land uses inherently compatible with surface mining or surface access to subsurface mining. Generally, this is land with a minimum of public or private investment in structures and land improvements, and which may allow mining because of the relative economic value of recovered minerals in comparison to the value of the land and its improvements. Examples of such uses may include, but shall not be limited to, rural residential, industrial, recreational, agricultural, silvicultural, grazing, and open space.

Development: (a) The preparation of a mining property or area so that an ore body can be opened for analysis. (b) The preparation or opening up of an ore body to estimate its tonnage and quality. Development is an intermediate stage between exploration and mining.

Exploration: The search for economic mineral or ore by (1) geological surveys, (2) geophysical or geochemical prospecting, (3) bore holes and trial pits, (4) surface or underground headings, drifts, or tunnels. Exploration aims at locating the presence of economic deposits and establishing their nature, shape, and grade.

Incompatible General Plan Designations: Those Nevada County General Plan designations incompatible for surface mining, including the following:

- Urban High Density
- Urban Medium Density
- High-Density Single-Family
- Urban Single-Family
- Residential
- Residential Low-Density
- Estate
- Regional Commercial
- Neighborhood Commercial
- Highway Commercial
- Office-Professional
- Research and Development
- Planned Development



Incompatible Land Use: Land uses inherently incompatible with surface mining or surface access to subsurface mining. Generally, this is land with significant public or private investment in structures, land improvements, and landscaping and that may prevent mining because of the greater economic value of the land and its improvements. Examples of such uses may include, but shall not be limited to, high density residential, low density residential, public facilities, and commercial.

Mineral: In this document the word mineral is used in a non-technical sense to embrace all inorganic and organic substances that are excavated from the earth for use by man.

"ME" Mineral Extraction Combining Zoning District: A district intended to protect those areas where information indicates that mineral deposits are present and to forewarn potential land users of the possibility the property has mineral values and may be mined. This District shall be used for those lands classified by State Classification Reports as MRZ-2 or similar documentation.

Mineral Resource Zones (MRZs): Zones used by the State Mining and Geology Board within State Classification Reports to classify mineral resource deposits:

MRZ-1 areas where adequate information indicates that no significant mineral deposits are likely present.

MRZ-2 areas where adequate information indicates that significant mineral deposits are likely present.

MRZ-3 areas containing mineral deposits the significance of which cannot be evaluated from available data.

MRZ-4 areas where available data is inadequate for assignment to any other MRZ zone.

Scientific Resource Zone (SZ) areas containing unique or rare occurrences of rocks, minerals, or fossils that are of outstanding scientific significance.

Recreational Mining: The extraction of minerals primarily for recreation on a seasonal basis and using such devices as pans, rockers, and dredges with intakes less than or equal to eight inches in diameter.

SMARA: State Surface Mining and Reclamation Act of 1975.

Subsurface Mining: The extraction of minerals by underground means, including shafts, slopes, adits, drifts, crosscuts, winzes, raises, and stopes.

Surface Mining: The extraction of minerals by open-pit mining, quarrying, dredging, and related operations on the surface, including comminution, concentration, processing, waste disposal, and tailings disposal. Said extraction shall not include the processing and use of on-site aggregate for on-site construction.

Surface Access to Subsurface Mines: The surface facilities serving an underground mine may include headframes, hoists, service plant, support buildings, comminution, concentration, processing, waste disposal, tailings disposal, and on-site roads.

Tailings: The gangue and other refuse material resulting from the washing, concentration or treatment of ground ore. The slurry is transported to a tailings pond, the solids settling while the liquid may be withdrawn.



Waste: The barren rock excavated from a mine. The waste dump is the area where waste is disposed of or piled.

Reference Sources:

Glossary of Geology, American Geological Institute, 1987.

California State Mining and Geology Board, 1988.

A Dictionary of Mining, Mineral, and Related Terms, U.S.
Bureau of Mines, 1968.



GOALS

1. To recognize and protect valuable mineral resources for current and future generations in a manner that does not create land use conflicts.
2. To prepare a comprehensive plan for river and floodplain development that ensures aggregate operations within rivers and floodplains which have the least impact on the environment are developed before more environmentally sensitive areas are approved and to also ensure that the environmental impacts of proposed aggregate operations within rivers and floodplains may be more readily assessed.

OBJECTIVE

To protect valuable mineral deposits from intrusion by incompatible land uses that will impede or preclude mineral extraction or processing. To promote the proper management of all mineral resource activities in the County and to minimize the impact of extraction and processing on neighboring activities and the environment in general.

POLICIES

Recreational Mining

Policy 1 Recreational mining as defined herein shall not require a County use permit; however, certain Federal or State regulations and local building and sanitation regulations may apply.

Exploration

Policy 2 Exploration is conditionally permitted in compatible General Plan designations. A conditional use permit shall be required if:

- a. Overburden or mineral deposits in excess of 1,000 cubic yards are disturbed, or
- b. The operation in any one location exceeds one acre in size, or
- c. De-watering will occur or water will be discharged from the site as a result of the operation.

Exploration is conditionally permitted in incompatible General Plan designations providing:

- a. Methods of geological survey, geophysical, or geochemical prospecting are used, or



- b. Bore holes and trial pits not exceeding 100 cubic yards of overburden or other mineral disturbance per acre may be done.
- c. No explosives may be used other than geophysical; there may be no drifting or tunneling and de-watering or water discharge is not allowed.

Policy 3 All exploratory operations shall require a reclamation plan if:

- a. Overburden or mineral deposits in excess of 1,000 cubic yards are disturbed, or
- b. The operation in any one location exceeds one acre in size, or

In those instances where a reclamation plan is not required, an erosion control plan, approved by the Nevada County Planning Department, and a grading plan shall be required for those operations in which 50 cubic yards or more of overburden are disturbed.

Mine Development and Operation

General

Policy 4 All operations shall comply with Nevada County Noise Element standards.

Policy 5 Nevada County hereby recognizes, accepts, and adopts by reference those State Classification Reports as found in Appendix A of this Element providing information on the location of significant mineral deposits within the County.

The General Plan land use map shall include a Significant Mineral Deposit Identification reflecting MRZ-2 areas as determined in the Reports and similar studies. At anytime a Classification Report is presented to the County, said map shall be amended to reflect the Report within 12 months. When it is necessary, due to the lack of specificity, to clarify the exact location of this identification, said Reports shall be used.

Policy 6 Encourage extraction of mineral resources in compatible areas prior to intensified urbanization or conversion to other incompatible land use development.



Policy 7 Use permit time limits for each project shall be established on a case-by-case basis. Time limits shall be based on the reasonably expected life of the mining operation and potential conflicts with future neighboring land uses. Each project shall have a periodic review for compliance with the use permit by the Planning Agency. In no case shall such review time period exceed five years. Said review shall be funded by the applicant.

Policy 8 A reclamation plan, consistent with the State Surface Mining and Reclamation Act standards, is required for all mining operations. Reclamation shall:

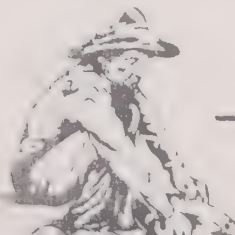
1. Prevent, mitigate, or minimize adverse effects on the environment.
2. Encourage the production and conservation of minerals.
3. Provide for the protection and subsequent beneficial use of mined and reclaimed land.
4. Eliminate residual hazards to the public health and safety.
5. Ensure that mined lands are reclaimed on a timely basis to a usable condition that is readily adaptable for alternative land uses.
6. Avoid the environmental and legal problems created by improperly abandoned mines.

Policy 9 Encourage the mining of previously mined land, if such land still contains economically mineable minerals, so the land can be reclaimed for alternative uses.

Policy 10 Consider the socio-economic impacts associated with proposed mining operations.

Policy 11 Recognize the importance of water conservation and quality for the present and future needs of the County by:

1. Requiring the conservation of on-site water during mining operations.
2. Requiring that off-site water discharge complies with State water quality standards.
3. Requiring that any increase or decrease of off-site discharge is not detrimental to the downstream environment or downstream water users.



Policy 12 In approving mining projects which according to expert opinion may threaten the existing quality or quantity of surface or subsurface water which supply adjacent homes and businesses, the County shall require the operator to guarantee a comparable supply of water to such homes or businesses through accessible forms of security or alternate sources of water.

Where water quantity and quality problems occur, an immediate water supply shall be provided by the operator until the source of the problem is determined. The burden of proof shall be on the operator to show that the mining operation did not create the water problem. If it is determined that the operator is at fault, impacted owners shall be compensated by the operator.

Policy 13 The County shall require satisfactory forms of accessible security, including irrevocable letters of credit, cash deposits, escrowed negotiable securities, or performance bonds, from all mining projects to cover all damages which may stem from the projects.

Policy 14 Already existing development - commercial, residential, and community - as well as undeveloped private lands, shall be protected from adverse environmental effects caused by mining through enforced use permit conditions and mitigation measures, or denial of the projects. The County shall be the enforcement agency.

Surface Mining

Policy 15 Surface mining is conditionally permitted only in compatible General Plan designations as defined herein and on parcels zoned "ME". Said mining shall be allowed only after impacts on the environment and nearby land uses have been adequately reviewed and found to be in compliance with CEQA.

Of particular importance shall be the impact of the operation on nearby land uses, water quantity and quality, noise and vibration impacts, and traffic impacts associated with the operation. All other related impacts shall also be addressed.

Policy 16 Upon acceptance of the State Classification Reports by the County, all existing and subsequent property owners of MRZ-2 lands shall be notified by the County of the existence of significant mineral deposits and the potential for mining in that area.



- Policy 17 The County shall use the "ME" Mineral Extraction Combining District as a means to provide for the public awareness of the potential for surface mining to occur where it has been established that important minerals are present. The "ME" District shall be used only on those lands which are within any of the compatible General Plan designations and which are not residentially zoned.
- Policy 18 Incompatible land uses relative to surface mining should be discouraged in all areas designated both compatible and MRZ-2.
- Policy 19 Any proposed residential development, including land divisions and dwelling unit construction, located within 1,000 linear feet from an area zoned "ME" shall be developed to ensure that said development is located as far removed from the area zoned "ME" as is reasonably possible.
- Policy 20 Zone changes removing the "ME" district from the base district shall be considered by the County only when specific studies similar in nature to State Classification Reports prove that a significant mineral deposit no longer exists.
- Policy 21 To ensure the protection of significant aggregate deposits, the County may zone "ME" all such identified and potential deposits within compatible General Plan designations and non-residential zoning districts.
- Policy 22 Aggregate extraction may be allowed in rivers and floodplains provided environmental impacts associated therewith are addressed through the CEQA process.

Subsurface Mining

- Policy 23 Regardless of the General Plan designation, subsurface mining shall be conditionally permitted throughout the County. Said mining shall be allowed only after impacts on the environment and affected surface land uses have been adequately reviewed and found to be in compliance with CEQA. Of particular importance shall be the impact of the operation on surface land uses, water quantity and quality, noise and vibration impacts, land subsidence, and traffic impacts associated with surface access. All other related impacts shall also be addressed.



Surface Access to Subsurface Mining

Policy 24 Surface access to subsurface mining is conditionally permitted only in compatible General Plan designations as defined herein. However, vent and escape shafts are conditionally permitted in incompatible General Plan designations where surface disturbance is minimal.

Policy 25 Surface plants for underground mines differ greatly in complexity and areal extent so evaluation on an individual project basis is required to assess impact on the environment. The simplest case is a mine portal or shaft collar from which ore and waste are removed from the site for treatment and disposal elsewhere. As a result, the impact on the environment could be minimal. The most complex cases involve stockpiles, crushing and grinding facilities, concentrators and other processing units, shops, warehouses and offices, waste disposal areas, tailings ponds and extended infrastructure. Such operations shall receive the same evaluation as large surface mines.



APPENDIX

Classification Report

The following State Classification Reports are herein incorporated by reference within the Mineral Management Element:

1. Mineral Land Classification of the Placer Services Corporation Placer Gold Deposit on San Juan Ridge, 1982.
2. Mineral Land Classification of the Joe Chevreaux Company Property for Portland Cement Concrete Grade Aggregate, 1983.
3. Mineral Land Classification: Portland Cement Concrete-Grade Aggregate in the Yuba City-Marysville Production-Consumption Region, 1986.
4. Mineral Land Classification of Nevada County, California, 1990, Special Report 164.



APPENDIX "A"

NEVADA COUNTY GENERAL PLAN

HISTORY OF TEXT AMENDMENTS

<u>AMENDMENT DATE</u>	<u>RESOLUTION NUMBER</u>
March 5, 1980	80 - 72
September 22, 1980	80 - 329
July 12, 1982	82 - 224
December 20, 1982	82 - 431
May 2, 1983	83 - 117
September 24, 1984	84 - 360
February 11, 1985	85 - 54
June 10, 1985	85 - 256
August 18, 1986	86 - 469
October 20, 1986	86 - 571
December 15, 1986	86 - 667
March 15, 1988	88 - 135
August 23, 1988	88 - 450
January 23, 1990	90 - 32
June 26, 1990	90 - 346
July 3, 1990	90 - 374
November 19, 1991	91 - 661
March 17, 1992	92 - 154
November 24, 1992	92 - 703

APPENDIX "B"

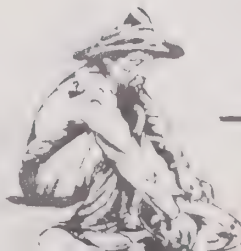
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HISTORY OF MAP AMENDMENTS

AMENDMENT DATE

RESOLUTION NUMBER

March 5, 1980	80 - 72
October 20, 1980	80 - 384
December 30, 1980	80 - 457
September 21, 1981	81 - 326
December 21, 1981	81 - 416
February 2, 1982	82 - 45
July 12, 1982	82 - 224
December 26, 1982	82 - 431
May 2, 1983	83 - 117
June 27, 1983	83 - 198
October 3, 1983	83 - 339
May 7, 1984	84 - 147
September 24, 1984	84 - 360
October 15, 1984	84 - 383
March 25, 1985	85 - 117
June 10, 1985	85 - 256
October 21, 1985	85 - 522
December 16, 1985	85 - 601
May 27, 1986	86 - 277
August 18, 1986	86 - 470
October 20, 1986	86 - 571
December 15, 1986	86 - 667
May 5, 1987	87 - 186
October 6, 1987	87 - 451
March 15, 1988	88 - 135
July 26, 1988	88 - 402
November 29 1988	88 - 609
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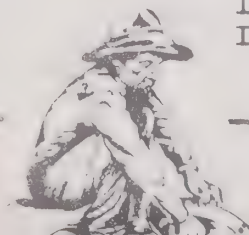
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